

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

No. 2

GOVERNMENT OF GOA

Department of Labour

Notification

26/17/96-LAB/4317

Whereas certain draft rules to amend the Goa, Daman and Diu Factories Rules, 1985, were published as required by section 115 of the Factories Act, 1948 (Central Act 63 of 1948), in the Official Gazette, Series I, No. 5, dated 5-5-1994, under Notification No. 26-17-93-LAB dated 3-5-1993, and in the Official Gazette, Series I, No. 17, dated 27-7-95, under Notification No. 26-8-92-LAB dated 17-2-95 of the Labour Department, Government of Goa, inviting objections and suggestions from all persons likely to be affected thereby within 3 months from the date of publication of the said Notification in the Official Gazette;

And whereas the said Gazettes were made available to the public on 5-5-94 and 27-7-95;

And whereas no objections and suggestions have been received from the public on the said drafts by the Government.

Now, therefore, in exercise of the powers conferred by section 112 of the Factories Act, 1948 (Central Act 63 of 1948), and all other powers enabling it in that behalf, the Government of Goa hereby makes the following rules so as to amend the Goa, Daman and Diu Factories Rules, 1985, namely:—

1. *Short title and commencement.* — (1) These rules may be called the Goa Factories (Fifth Amendment) Rules, 1996.

(2) They shall come into force at once.

2. *Amendment of rule 4.* — For rule 4 of the Goa, Daman and Diu Factories Rules, 1985 (hereinafter referred to as the 'principal Rules'), the following shall be substituted, namely:—

"4. *Use of premises as factory.* — No occupier shall use any premises as a factory unless:—

(i) The plans are got approved from the Chief Inspector of Factories in respect of the following items, namely:—

- (a) site on which the factory is to be situated;
- (b) building and extension used for the purposes of manufacturing process;
- (c) the layout of plant and machinery;
- (d) any changes, total or partial, in the manufacturing process (es);
- (ii) the factory building, extensions, processes and machinery layout are in conformity with the approved plans;
- (iii) the conditions subject to which plans are approved, are complied with;
- (iv) a licence is obtained under rule 7 from the Chief Inspector of Factories or renewed under rule 9, and the said licence is valid at the relevant time.

Explanation. — For the purposes of this clause, a licence shall be deemed to be valid only if,—

- (a) the fees, including additional fees, if necessary, are paid;
- (b) the employment of workers for which licence is granted is not exceeded";
- (c) the limit of the installed power for which licence is granted is not exceeded".

3. *Amendment of rule 5.* — In rule 5 of the principal Rules, —

(i) after the words "and accepted by him", the following shall be inserted, namely:—

"Provided that no manufacturing process (es) shall be carried out in any premises of the factory unless a fresh Certificate of Stability as specified in the form, is obtained from a competent person and submitted to the Chief Inspector of Factories once in a period of five years or after any extension or alteration, repair or addition of any work of engineering construction or replacement or addition of machinery, plant, etc.;

(ii) in the "Form of Certificate of Stability", the following explanation shall be inserted at the end, namely:—

"Explanation.— 'Work of engineering construction' means any building, tank, silo scaffold, platform, chimney, bridge, supporting structural work, retaining wall, or any other similar structure."

4. *Amendment of rule 6.* — In rule 6 of the principal Rules:—

(i) for sub-rule (1), the following shall be substituted, namely:—

"(1) The occupier and manager of every factory, coming within the scope of the Act, after its commencement, shall apply to the Chief Inspector of Factories for registration and grant of licence in Form 2;

(1A) The occupier or manager of a place to which the provisions of the Act are made applicable by a notification under section 85 of the Act, shall submit an application within 30 days of the date of that notification,";

(ii) in sub-rule (2), for the schedule, the following shall be substituted, namely:—

"SCHEDULE

SCALE OF FEES PAYABLE FOR LICENCE AND ANNUAL RENEWAL OF LICENCE BY FACTORIES

Maximum installed power in K.W.	Maximum number of persons to be employed on any day during the year								
	Up to 9	From 10 to 20	From 21 to 50	From 51 to 150	From 151 to 250	From 251 to 500	From 501 to 1000	From 1001 to 2500	From 2501 and above
(1) Nil	40	50	100	400	500	1000	2000	4000	6000
(2) Upto 10	75	150	300	800	1000	1500	3000	6000	8000
(3) Above 10 but not above 50	150	250	500	1200	1500	2000	4000	7500	9000
(4) Above 50 but not above 100	375	500	700	1500	2000	3000	5000	9000	10000
(5) Above 100 but not above 500	800	1000	1500	3000	4000	5000	7500	10000	12000
(6) Above 500 but not above 1000	1500	1600	3000	4000	5500	6500	10000	12000	14000
(7) Above 1000	2200	2800	3800	5500	6500	8000	11000	14000	16000

5. *Amendment of rule 8.* — In sub-rule (2) of rule 8 of the principal Rules, after the words "reasons thereof", the following words shall be inserted, namely:—

"alongwith the Form 2, duly filled in and signed".

6. *Amendment of rule 9.* — For rule 9 of the principal Rules, the following shall be substituted, namely:—

"9. *Renewal of licence.*— (1) An application for the renewal of licence (for a period not exceeding five years) shall be made to the Chief Inspector in Form 3 accompanied by a treasury receipt or an invoice for book adjustment, as the case may be, for payment of the fees specified in the Schedule attached to rule 6, so as to reach him not later than two months before the date on which the licence is due to expire:

Provided that, where a factory commences work on or after the 1st day of November in any year, application for renewal of licence shall be made on or before the 1st day of January next following.

(2) (a) On receipt of the application under sub-rule (1), the Chief Inspector may, if he is satisfied that there is no objection to the renewal of the licence, renew the same for a period not exceeding five years or may, after recording his reasons, refuse the renewal thereof on any of the grounds specified in the proviso to rule 7.

(b) The Chief Inspector may also refuse the renewal of the licence on the ground that the applicant has been guilty of repeated contraventions of the provisions of the Act or these rules or both, or the applicant has obtained the licence by fraud or by misrepresentation:

Provided that, in any case falling under clause (a) or (b), before refusing any licence, the applicant shall be given an opportunity to show cause why the licence should not be refused:

Provided further that if the period for which the renewal of licence is applied is one year or more but does not exceed five years, the fees payable under this sub-rule therefor per year, shall be at the rates specified in the Schedule attached to rule 6:

Provided also that where the application for the renewal of the licence is made after the expiry of the due date specified in this sub-rule, the additional graded fees at the percentage of the fees payable for the renewal of the licence specified in column (2) of the Schedule hereto shall be payable for such renewal of the licence for the period of delay specified in column (1) of that Schedule.

SCHEDULE

Period of delay	Percentage of fees
(1)	(2)
Upto one month	5 per cent.
Upto two months	10 per cent.
Upto three months	15 per cent.
Upto four months	20 per cent.
upto five months and above	25 per cent.

7. *Insertion of new rule 9A.*— After rule 9 of the principal Rules, the following new rule shall be inserted, namely:—

"9A. *Revocation of licence.*— The Chief Inspector may, at any time before the expiry of the period for which the licence has been

granted or renewed, revoke the licence on any of the grounds specified in the proviso to rule 7, or in clause (b) of sub-rule (2) of rule 9."

8. *Amendment of rule 13.* — In sub-rule (1) of rule 13 of the principal Rules, for the figures "087" and the letter 'C' the figures "0230" and "104" shall be respectively substituted.

9. *Amendment of rule 68.* — In second proviso to sub-clause (iii) of clause (a) of sub-rule (7) of rule 68 of the principal rules, for the words "when it is impracticable", the words "if the Chief Inspector certifies that it is impracticable" shall be substituted.

10. *Amendment of rule 74.* — In rule 74 of the principal rules, for clause a (ii) of sub-rule (1), the following shall be substituted, namely:—

"Possesses a degree or diploma in industrial safety awarded by the University or Board of Technical Education of any State Government or Union territory Administration in this behalf; and".

11. *Amendment of rule 89.* — In sub-rule (4) of rule 89 of the principal Rules, for the words and figures "Form 41," the words and figures "Form No. 16", shall be substituted.

12. *Amendment of rule 90N.* — In rule 90N of the principal Rules,—

(i) in clause (c) of sub-rule (1), for the word and figures "Form 26", the words and figures "Form No. 7" shall be substituted; and

(ii) in sub-rule (2), for the word and figures "Form 30", the words and figures "Form No. 29" shall be substituted.

13. *Amendment of rule 111.* — In clause (a) of sub-rule (4) of rule 111 of the principal Rules, for the words and figures "Form 16", the words and figures "Form No. 17" shall be substituted.

14. *Amendment of rule 113.* — In clause (b) of rule 113 of the Principal rules, for the words and figures "Form No. 17", the words and figures "Form No. 18", shall be substituted.

15. *Amendment of rule 116.* — In rule 116 of the principal Rules, for the words and figures "Form 18", the words and figures "Form No. 19" shall be substituted.

16. *Amendment of rule 117.* — In rule 117 of the principal Rules, for the words and figures "Form 19", the words and figures "Form No. 20" shall be substituted.

17. *Amendment of rule 118.* — For rule 118 of the principal Rules, the following shall be substituted, namely:—

"118. *Persons defined to hold position of supervision or management or employed in a confidential position.* — (1) In a factory, the following persons shall be deemed to hold positions of supervision or management within the meaning of sub-section (1) of section 64 of the Act, provided they are not required to perform manual labour or clerical work as a regular part of their duties, namely:—

- (i) The Manager, Deputy Manager, Assistant Manager, Production Manager, Work Manager and General Manager;

(ii) Departmental Head, Assistant Departmental Head, Departmental in-charge or Assistant Departmental In-charge;

(iii) Chief Engineer, Deputy Chief Engineer and Assistant Engineer;

(iv) Chief Chemist, Laboratory in-Charge;

(v) Personal Manager, Personnel Officer;

(vi) Labour Officer, Assistant Labour Officer;

(vii) Welfare Officer, Additional Welfare Officer or Assistant Welfare Officer;

(viii) Safety Officer;

(ix) Security Officer;

(x) Foreman, Chargeman, Overseer and Supervisor;

(xi) Jobber in Textile Factories;

(xii) Head Store-Keeper and Assistant Store-Keeper;

(xiii) Boiler Sarang or such Boiler Attendants who are in-charge of a battery of boilers and are only required to do supervisory work; and

(xiv) Any other person who, in the opinion of the Chief Inspector, holds a position of supervision or management and is so declared in writing by him.

(2) In a factory, the following persons shall be deemed to be employed in a confidential position within the meaning of sub-section (1) of section 64 of the Act, namely:

(i) Stenographer or Telex Operators;

(ii) Office Superintendent;

(iii) Head Accountant and Head Cashier;

(iv) Head Clerk, where there is no Office Superintendent;

(v) Head Time Keeper; and

(vi) Any other person who, in the opinion of the Chief Inspector, is employed in a confidential position and is so declared in writing by him.

(3) Any dispute as to whether a person, by virtue of the nature of his duties, falls in any of the definitions, given in sub-rules (1) or (2) above, shall be decided by the Chief Inspector by passing an order in writing which shall be final.

(4) On an application made by the occupier or manager of a factory, the Chief Inspector may declare in writing any person other than the persons defined in sub-rules (1) and (2) above, as a person holding a position of supervision or management or employed in a confidential position in a factory, if in the opinion of the Chief Inspector, such person holds such position or is so employed.

(5) All declarations of the nature described in sub-rule (4) of this rule, made by the Chief Inspector under the provisions of any earlier rules in that behalf, shall be deemed to have been made under sub-rule (4), and shall continue to remain in force."

18. *Amendment of rule 119.* — For rule 119 of the principal Rules, the following shall be substituted, namely:—

"119. *List of persons defined in rule 118 and overtime muster-roll and slips.*— (1) A list showing the name and designations of all persons defined in rule 118 shall be maintained in every factory and it shall be made available for inspection to the Inspector at all times when work is being carried on in any factory.

(2) Where the ordinary rate of wages of any of the persons whose name is shown in the list maintained under sub-rule (1) of this rule does not exceed rupees sixteen hundred per month, the manager of the factory shall. —

(a) maintain a muster-roll in Form 17 as specified under rule 113, in respect of such persons, and

(b) issue overtime slips as specified under rule 114, to such persons.

19. *Amendment of rule 120.* — For rule 120 of the principal Rules, the following shall be substituted, namely:—

"120. *Exemption of certain adult workers.* — Adult workers engaged in factories specified in column (2) of the Schedule hereto annexed, on the work specified in column (4) of the said Schedule, shall be exempt from the provisions of the sections specified in

column (5) thereof, subject to the conditions, if any, specified in column (6) of the said Schedule; and also subject to the following conditions, namely:—

(i) No woman workers shall be required or allowed to work for more than nine hours in any day;

(ii) Except in respect of exemption under clause (a) of sub-section (2) of section 64 of the Act, the following limits of work inclusive of overtime shall be observed, namely:—

(a) the total number of hours of work in any day shall not exceed ten;

(b) the spread over, inclusive of intervals for rest, shall not exceed twelve hours in any one day;

(c) the total number of hours in a week, including overtime, shall not exceed sixty; and

(d) the total number of hours of overtime shall not exceed fifty for any one quarter:

Provided that, the limits imposed by sub-clauses (a) and (b) above, shall not apply in the case of a shift worker engaged in factories specified against category and No. X (1) to (39) in the Schedule hereto if the said worker is allowed to work the whole or part of the subsequent shift in the absence of a worker who has failed to report for duty.

SCHEDULE

Category	Class of factories	Exemption under section	Nature of exempted work	Exemption from section	Conditions
1	2	3	4	5	6
(I) All factories		64 (2) (a) and 64 (3) for urgent repairs and for consequential exemptions from the provisions of section 61.	Urgent repairs <i>Explanation.</i> —"Urgent repairs" for the purposes of this exemption shall mean,— (a) repairs to any part of machinery, plant or structure of a factory, which are of such a nature that delay in their execution would involve danger to human life or safety or the stoppage of the manufacturing process; (b) repairs to deep-seaships and repairs to commercial aircrafts which are essential to enable such ships of aircrafts to leave port at proper time or continue their normal operations in seaworthy or air-worthy conditions, as the case may be, and (c) repairs in connection with a change of motive power e.g. from steam to electricity or vice versa when such work cannot possibly be done without stoppage of the normal manufacturing process: Provided that urgent repairs shall not include periodical cleaning and maintenance work.	51, 52, 54, 55, 56 and 61	(i) The occupier or manager of the factory shall send to the Inspector a notice within 24 hours of the commencement of the work, stating therein the precise nature of urgent repairs, the exact time of the commencement of such work and the list of all persons employed on such work. A copy of such notice shall be displayed in the factory as provided under section 108(2) of the Act within 25 hours of the completion of the work of urgent repairs and a notice to that effect shall be sent to the Inspector alongwith the copy of entries made in Form 18 in respect of every worker mentioned in the earlier notice. (ii) No worker shall be allowed or required to work on such repairs for more than 15 hours on

1	2	3	4	5	6
					any one day, 39 hours during any consecutive days or 66 hours during each period of seven consecutive days commencing from his first employment on such work.
					(iii) If the Inspector is of the opinion that any work being carried on in a factory as 'Urgent Repairs', is not urgent repairs the Inspector shall serve on the manager an order to that effect and the manager shall in respect of such work not require any worker to work in contravention of the provisions of sections 51, 52, 54, 55 and 56 and shall comply with section 61 of the Act.
					(iv) No worker shall be required or allowed to work for the period of more than six hours before he has had an interval of rest or food of at least half an hour.
					(v) Provisions of section 53 of the Act and rules 113 and 114 of the Rules shall be complied with.
(II) All factories except those on continuous process	64 (2) (b) for work in the nature of preparatory or complementary work	(a) Maintenance work in connection with the mill gearing, the electric driving of lighting apparatus, the mechanical or electrical lifts or hoists and steam or water pipes or pumps of the factory; (b) Departmental oilers; and (c) Workers attending to the starting, stopping and maintaining electrical motors and connected switch gears.	51, 54, 55 and 56		(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with.
(III) All factories	64 (2) (e) for work which is necessarily intermittent in nature	(1) (a) Work performed by drivers on lighting, ventilating and humidifying apparatus. (b) Work performed by fire-pumpmen and all personnel on the fire fighting staff. (2) Telephone Operators and Telex Operators	51, 52, 55 and 56	— do —	
(IV) All factories	64 (2) (h) for work in the engine room, boiler house, power plants or transmission machinery	Workers engaged in engine rooms or boiler house attending to power plant transmission machinery or the prime movers.	51, 52		Provisions of section 53 of the Act and Rules 113 and 114 of the Rules shall be complied with.
(V) — do —	64 (2) (i) work of loading and unloading	Workers engaged in the loading or unloading of railway wagons or lorries, trucks and tankers or the loading and unloading at jetties.	51, 52, 54, 55, 56, 61		(i) No worker shall be required or allowed to work on shift of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such works. (iii) Provisions of section 53 of the Act and Rules 113 and 114 shall be complied with.

1	2	3	4	5	6
(VI)	Carbonic Acid Gas factories	64 (2) (b) for work in the nature of preparatory complementary work.	Work of firemen to light lye-boiler	51, 54, 55	<p>(i) This exemption shall be availed of only on the day on which the plant is restarted after a closure.</p> <p>(ii) No worker shall be required or allowed to work on shift of longer than 8 hours duration.</p> <p>(iii) Intervals for food and rest shall be given to all workers allowed to work on such work.</p> <p>(iv) Provisions of rules 113 and 114 shall be complied with.</p>
(VII) (1)	Cloth printing factories or departments	64 (2) (b) for work in the nature of preparatory complementary work.	Work in the nature of preparatory or complementary to main operations of printing, sanforizing, and finishing and mercerising of cloth.	51, 54, 56	Provisions of rules 113 and 114 shall be complied with.
	(2) Cotton Spinning and Weaving Mills	— do —	Work involved in clearing blow room flues.	— do —	— do —
	(3) Film Studios	— do —	All work in the nature of preparatory or complementary work which is necessary for the shooting of time.	— do —	— do —
(VIII)	Dyeing or bleaching factories or departments	— do —	Work performed by Kiermen.	51, 54, 55 and 56	<p>(i) No workers shall be required or allowed to work on shifts of longer than 8 hours duration.</p> <p>(ii) Intervals for food and rest shall be given to all workers allowed to work on such work.</p> <p>(iii) Provisions of rules 113 and 114 shall be complied with.</p>
(IX) (1)	Brick factories	64 (2) (b) for which for technical reason must be carried on continuously	Work of firemen on kilns	55	<p>(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration.</p> <p>(ii) Intervals for food and rest shall be given to all workers allowed to work on such work.</p>
	(2) Cashewnut factories	— do —	Oil extraction work	55	— do —
	(3) Cloth printing and processing factories	64 (2) (d) for work which for technical reason must be carried on continuously	Work of cloth printing, bleaching, finishing, mercerising, raising, dyeing, singeing and sanforizing.	55	— do —
	4) Collapsible tube manufacturing factories	— do —	Work of painting, coating, drying of collapsible tubes, if carried on in a continuous process.	55	— do —

1	2	3	4	5	6
(5) Cycle manufacturing, automobile manufacturing of steel.	64 (2) (d) for work which for technical reason must be carried on continuously	Work of painting and enabling sections and service automatic plating plant	55	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work.	
(6) Enamelled wire manufacturing factories	— do —	Work of enamelling of wires	55		— do —
(7) Ferrous and non-ferrous metal factories	— do —	Work on Hot Rolling	55		— do —
(8) Flour Mills	— do —	All work	55		— do —
(9) Gum Industry	— do —	Work performed in connection with slitting, dehusking, grinding and packing	55		— do —
(10) India Government Mint	— do —	Melting, Department including dress washing	55		— do —
(11) Leather cloth factories	— do —	Working of continuous coating of PVC drying, fushing in hot air oven and embossing	55		— do —
(12) Lime Bhatties	— do —	Work employed on bhatties	55		— do —
(13) Oil Mills	— do —	All continuous process work	55		— do —
(14) Ordnance factories	— do —	Work in melting shop swarf anneal in furnaces gas producers, electrical substations and water and electrical distribution departments.	55		— do —
(15) Pharmaceutical factories	— do —	All continuous process work	55		— do —
(16) Plastic factories	— do —	Work on plastic injection moulding machine and extrusion machine	55		— do —
(17) Pottery works	— do —	Work on fireman on kilns	55		— do —
(18) Shellac factories	— do —	Workers employed on kilns	55		— do —

1	2	3	4	5	6
(19) Smelting and refining factories	64 (2) (d) for work which for technical reasons must be carried on continuously	(1) Work on the reducing furnace (2) All continuous process work in connection with electrolytic refining	55	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work.	
(20) Soap factories	— do —	Work on soap building pans and soap drying pans	55		— do —
(21) Sodium and potassium bichromate factories	— do —	All works	55		— do —
(22) Spinning and Weaving Mills	— do —	Work on hot air sizing machine	55		— do —
(X) (1) Acetylene factories	— do —	Generation of gas and filling of cylinders	51, 52, 54, 55 and 56	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52 (1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.	
(2) Carbonic acid gas works	— do —	Work of firemen, pumpmen, plan driver, boilers and the filling of cylinders	51, 52, 54, 55, and 56		— do —
(3) Carbonic acid gas solidification works	— do —	All works except packing blocks	— do —		— do —
(4) Cement factories and asbestos cement factories	— do —	All continuous process work	— do —		— do —
(5) Chemical factories	— do —	— do —	— do —		— do —

1	2	3	4	5	6
(6) Chemical products factories	64 (2) (d) for work which for technical reasons must be carried on continuously	Process of manufacturing activated carbon	51, 52, 54, 55 and 56	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52 (1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.	
(7) Cinematographic films processing factories	— do —	Work on developing and washing processes	— do —		— do —
(8) Coal gas factories	— do —	All work in the retort house and on the retort house and on the water gas plant. Work of the male yard labour staff in unloading coal, feeding hoppers and removing coke, work on the syphons, boilers station meters and governors.	— do —		— do —
(9) Computer installation	— do —	All works	— do —		— do —
(10) Confectionery manufacturing departments or factories	— do —	Manufacturing of melted chocolate flavored food and chocolate making	— do —		— do —
(11) Crude mineral oil and petrochemical refining factories	— do —	(a) All continuous process work performed by the plant operators, fire operators, laboratory testers and analysts, maintenance and instrument personnel connected with continuous process work, dressers and sample carriers (b) Work performed by safety operators	— do —		— do —

(12) Dextrine manufacturing factories	64 (2) (d) for work which for technical reasons must be carried on continuously	All continuous process work	51, 52, 54, 55, and 56	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52 (1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.
(13) Distilleries	— do —	Work on the extraction of sugar from various bases, fermentation of sugarcane juice and distillations of fermented wash.	— do —	— do —
(14) Electrical accumulators charging departments of factories	— do —	Operations in connection with charging electrical accumulators	— do —	— do —
(15) Electrical receiving stations and sub-stations	64 (2) (e) for work which for technical reasons must be carried on continuously	Operation and maintenance of transformers and their auxiliaries including receiving and distribution switch gear, lightning arrestors, synchronous and other condensers and rotary and static condensers	— do —	— do —
(16) Electronic components factory	— do —	Welding, lacquering and colour coding of carbon resistors.	— do —	— do —
(17) Ferrous and non-ferrous metal factories	— do —	Hot rolling	— do —	— do —

1	2	3	4	5	6
(18) Glass factories	64 (2) (e) for work which for technical reasons must be carried on continuously	All continuous process work including cartoning and packing carried out in continuous chain	51, 52, 54, 55 and 56	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52 (1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.	
(19) Glycerine factories	— do —	All continuous process work	— do —	— do —	
(20) Hydraulic pumping	— do —	All work	— do —	— do —	
(21) Ice factories	— do —	Work of the engine and compressors drivers and assistants and oilers	— do —	— do —	
(22) Magnesium chloride factories	— do —	The work on concentrating process	— do —	— do —	
(23) Milk dairies	— do —	All work of receiving chilling, processing of milk by pasturisation, storage bottling and packing of milk.	— do —	— do —	
(24) Oil tank installations	— do —	(a) Work performed by workers in connection with pumping operations. (b) Work performed by furnacemen and firemen. (c) Work performed by safety operators.	— do —	— do —	

1	2	3	4	5	6
(25) Oxygen factories	64(2)(e) for work which for technical reasons must be carried on continuously	Engine and plant drivers, oilers and the filling of the cylinders.	51, 52, 54, 55 and 56		(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52 (1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.
(26) Paper, cardboard and straw-board factories	— do —	Work performed on choppers, digester, kneaders, strainers and washers, beaters, paper making machines, pumping plants, reelers and cutters	— do —		— do —
(27) Pharmaceutical factories	— do —	All continuous process operations in chemical plant	— do —		— do —
(28) Phonograph Disc manufacturing factories	— do —	Work performed in matrix department	— do —		— do —
(29) Potassium chlorate factories	— do —	Work in the cell room	— do —		— do —
(30) Public electricity supply factories generating electricity in any manner and those engine rooms and boiler departments generating electricity in any manner	— do —	Operation and maintenance of primemovers and auxiliaries, generators, transformers and switch gears, also engines and boilers and their auxiliaries	— do —		— do —
(31) Public pumping and compressor stations	— do —		— do —	— do —	— do —

1	2	3	4	5	6
(32) Rubber tyre and rubber factories	64 (2) All work (d) for work which for technical reason must be carried on continuously.	All work on curing process of rubber	51, 52, 54, 55 and 56	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work. (iii) Provisions of rules 113 and 114 shall be complied with. (iv) Compliance with section 53 of the Act shall be made in such a way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52(1) of the Act. (v) In the absence of a worker who has failed to report for duty, a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.	
(33) Silver Refineries	— do —	All work	— do —	— do —	
(34) Soap factories	— do —	(a) All continuous process work in continuous soap making plants. (b) All continuous process work in synthetic detergent plants including cartoning and packing carried out in a continuous chain.	— do —	— do —	
(35) Sodium and potassium bichromate factories	— do —	Work in furnace and crystalisers	— do —	— do —	
(36) Starch factories	— do —	All work except the engineering department and workshops	— do —	— do —	
(37) Sugar factories	— do —	Operations beginning with receiving and weighing of sugarcane and ending with bagging of sugar	— do —	— do —	
(38) Vegetable oil hydrogenation factories	— do —	The work, viz. refining, bleaching, filtering, generation in of hydrogen, hydrogenating and deodorising processes, also compression of oxygen and the cylinder filling	— do —	— do —	
(39) Factories having effluent treatment plant	— do —	All continuous process	— do —	— do —	

(XI)	(1) All cotton ginning factories	64(2)(b) for work in the nature of preparatory of complementary work, 64 (2) (f) for work, carried out during fixed seasons and section 64 (3) for consequential exemption from section 61.	Work performed by Gin fitters, mochies and oilers	51, 52, 54, 55, 56 and 61	All the five conditions in (X) (1), column (6), Register of muster roll required to be maintained under section 62 of the Act shall show correctly full particulars of periods within which each such worker may be required to work, entries in the register or muster roll shall be up-to-date.
(XII)	(1) Pottery works	64(2)(d) for work of continuous nature	Work on tunnel kilns	52 and 55	All the conditions as in (VII)
(XIII)	(1) G u r (Jaggery) factories	64 (2) (b) for work in the nature of preparatory or complementary work, and 64 (2) (c) for work, which is necessarily intermittent in nature	All work	51, 54, 55 and 56	All the conditions as in (VIII)
(XIV)	(1) N e w s Printing presses	64 (2) (i) for work in printing of newspaper which is held up due to breakdown of machinery	All work on-daily, weekly newspapers	—do—	<p>(a) No worker shall be allowed to work for more than 56 hours in any week.</p> <p>(b) No overtime shall be carried on except for two days prior to the date of the publication of the weekly newspaper.</p> <p>(c) The exemption under this entry shall be availed of only in the section of the press where there is breakdown of machinery, and</p> <p>(d) Intervals for food and rest shall be given to all workers allowed to work on such work.</p>
(XV)	All factories	64 (2) (K) for work notified by the State Government as work of National importance	Workers engaged in any work which is notified by the State Government in the Official Gazette, as work of National importance	51, 52, 54, 55, and 56	All the conditions as in X (1) except condition No. (V).

20. *Amendment of rule 121.* — In rule 121 of the principal Rules, for the words and figures "Form 20" the words and figures "Form No. 21" shall be substituted.

21. *Amendment of rule 122.* — In rule 122 of the principal Rules, for the words and figures "Form 21", the words and figures "Form No. 22" shall be substituted.

22. *Amendment of rule 123.* — In rule 123 of the principal Rules, for the words and figures "Form 22", the words and figures "Form No. 23" shall be substituted.

23. *Amendment of rule 124.* — In rule 124 of the principal Rules, for the words and figures "Form 23" the words and figures "Form No. 24" shall be substituted.

24. *Amendment of rule 129.* — In rule 129 of the principal Rules, for the words and figures "Form 24", the words and figures "Form No. 25" shall be substituted.

25. *Amendment of Schedule to rule 131.* — In rule 131 of the principal Rules, —

(i) in Schedule II, —

(a) in sub-para (1) of para 8, for the words and figures "Form 25", the words and figures "Form No. 26" shall be substituted;

(b) in sub-para (2) of paragraph 9, for the words and figures "Form 26", the words and figures "Form No. 27" shall be substituted;

(ii) in sub-para (2) of paragraph 6 of Schedule V, for the words and figures "Form 27", the words and figures "Form No. 28" shall be substituted;

(iii) in paragraph 12 of Schedule VI, for the words and figures "Form 28", the words and figures "Form No. 26" shall be substituted;

(iv) in paragraph 11 of Schedule VIII, for the words and figures "Form No. 28", wherever they occur, the words and figures "Form No. 26" shall be substituted;

(v) in sub-paragraph (1) of paragraph 10 of Schedule X, for the words and figures "Form 28", the words and figures "Form No. 26" shall be substituted;

(vi) in paragraph 17 of Schedule XI, for the words and figures "Form 28", the words and figures "Form No. 26" shall be substituted;

(vii) in sub-paragraph (1) and (8) of paragraph 11 of Schedule XIV, for the words and figures "Form 29", the words and figures "Form No. 26" shall be substituted;

(viii) in sub-para (2) of paragraph 13 of Schedule XIX, for the words and figures, "Form 28", the words and figures "Form No. 26" shall be substituted;

(ix) in Schedule XXIII, in paragraph 21, —

(a) in sub-para (3), for the words and figures "Form 30", the words and figures "Form No. 26" shall be substituted;

(b) in sub-para (4), for the words and figures "Form 31", the words and figures "Form No. 7" shall be substituted;

(x) in Schedule XXV, in sub-para (3) of paragraph 16, —

(i) for the word and figures "Form 30", the words and figures "Form No. 26" shall be substituted; and

(ii) for the word and figures "Form 31", the words and figure "Form No. 7" shall be substituted;

(xi) in Schedule XXVII, in sub-para (3) of paragraph 18, for the word and figures "Form 28" and "Form 29", the words and figures "Form No. 26" and "Form No. 7" shall be respectively substituted.

26. *Amendment of rule 132.* — In sub-rule (3) of rule 132 of the principal Rules, for the words and figures "Form 32" and "Form 33", the words and figures "Form No. 30" and "Form No. 31" shall respectively be substituted.

27. *Amendment of rule 133.* — In rule 133 of the principal rules, for the words and figures "Form 34", the words and figures "Form No. 32" shall be substituted.

28. *Amendment of rule 135.* — In rule 135 of the principal rules, for the words and figures "Form 35", the words and figures "Form No. 33" shall be substituted.

29. *Amendment of rule 136.* — In rule 136 of the principal rules, for the words and figures "Form 36", "Form 37" and "Form 39", the words and figures "Form No. 34", "Form No. 35" and "Form No. 37" shall respectively be substituted.

30. *Amendment of rule 140.* — In rule 140 of the principal Rules, for the words and figures "Form 38", the words and figures "Form No. 36" shall be substituted.

31. *Amendment of rule 141.* — In rule 141 of the principal rules, for the words and figures "Form 39" and "Form 32 or 33", the words and figures "Form No. 37" and "Form No. 30 or 31" shall respectively be substituted.

32. *Amendment of rule 142.* — In sub-rule (1) of rule 142 of the principal Rules, for the words and figures "Form 40", the words and figures "Form No. 38" shall be substituted.

33. *Amendment of Forms.* — For Form Nos. 1 to 41 appended to the principal Rules, the following Forms shall be substituted, namely: —

FORM No. 1

(See Rule 3)

Application for permission to construct, extend or take into use any
building as factory

1. Application for —

- (a) constructing a new building
(b) extending an existing building
(c) taking into use any building as a factory

(Tick one or more, as applicable)

2. Applicant's name and residential
address, including telephone Number
(in block letters)

(a) Permanent :

(b) Local :

3. Full name and postal address of factory including phone No.

(a) Name

(b) Address

(town or village/district/pin code No.)

4. Please indicate also the following details :—

- (a) nearest police station
(b) nearest railway station or steamer ghat
(c) nearest public hospital

5. (a) Whether already registered as factory

Yes/No

(b) If Yes

- (i) Registration No.
(ii) Licence No.
(iii) Date of renewal of licence.

(c) Does it fall in hazardous category under section 2 (cb)

Yes/No

(d) If so, has site been approved under section 41A

Yes/No

(e) If site has been approved, date of approval

6. Particulars of plant to be installed

7. Enclosures —

- (a) Flow chart of the manufacturing process
(b) Brief description of the process in its various stages
(c) Plan, in duplicate, drawn to scale, showing —
(i) The site of the factory and immediate surroundings including adjacent buildings and other structures, roads, drains, etc.
(ii) The plan, elevation and necessary cross-section of the various buildings indicating all relevant details relating to natural lighting, ventilation and means of escape in case of fire. The plans shall also clearly indicate the position of the plant and passage-ways

Yes/No

Yes/No

Yes/No

Yes/No

(d) Such other particulars as are required by the Chief Inspector at the time of submission of the application.

Rubber stamp and signature of the applicant.

Name of applicant
(in block letters)

Telephone No.

Dated :—

Notes: (1) Applicant should be the occupier of the factory, as defined under section 2(n) of the Factories Act, 1948.

(2) The application in this Form is not valid after 3 months from the date of submission, if plans are not approved.

FORM No. 2

(See rules 6 and 15)

Application for registration and grant or amendment of Licence and Notice of Occupation

(To be submitted in triplicate)

1. Application for

(a) Registration, grant of licence and notice of occupation

Yes/No

(b) Amendment of licence

Yes/No

2. (a) Applicant's name

(b) (i) Whether factory already registered

(ii) If yes, registration No.

(iii) Licence No.

(iv) If no, date from which amenable under Factories Act, 1948

3. Full name and postal address of the factory —

(a) Name of the factory

(b) Address

(town/village/district/pin code No.)

4. Please indicate following details also:—

(a) Nearest police station
(specify distance)

(b) Nearest Railway Station
(specify distance)

(c) Nearest Public Hospital
(specify distance)

5. Full name and residential address of the person who shall be the manager of the factory for the purposes of the Act.

6. Full name and residential address of the occupier, that is —

(a) the proprietor or a partner of the firm
OR

(b) a director of the company
OR

(c) the person appointed to manage the affairs of the factory owned or controlled by Central Government or State Government or local authority
OR

(d) any other (specify)

7. Full name and address of the owner of the premises or building (including the precincts thereof) referred to in section 93.

8. Please furnish reference number (s) and date (s) of approval (s) of the plans of site and building and for disposal of trade wastes and effluents by the concerned authorities.

Authority

Details

(i) State Government

(ii) Local Authority

(iii) Chief Inspector

(iv) Pollution Control Board

(v) Other Concerned Authority

(specify)

.....
.....
.....
.....
.....
.....

9. (a) Nature of manufacturing processes to be carried out in the factory

List of processes

(b) In case of application for amendment indicate manufacturing processes carried out previously

List of processes

10. Name and quantities of raw materials used, intermediate products and principal finished products during the last twelve months (in case of factories already in existence)

Name Quantity
(Vo./wt./ No.)

11. (i) Number of workers employed in the factory

Employed in the
last 12 months

Proposed to be employed in next
12 months

- (a) Maximum number
(b) Number ordinarily employed

(ii) Nature and total amount of power (in kilowatts)

- (a) Installed
(b) Proposed to be installed

12. Fees paid (details)

Rs. in figures
Rupees in
words vide treasury challan No. dated
..... or Book adjustment vide order No.
..... dated

(1) Signature of the Occupier
Name (in block letters)

Telephone No.

(2) Signature of the Manager
Name (in block letters)

Telephone No.

Date :

NOTES :

- (1) This form should be completed in ink in block letters or typed.
- (2) Strike off whichever is not applicable
- (3) If power is not used at the time of filling up this Form but introduced later, the fact should be communicated to the Chief Inspector of Factories, immediately.
- (4) The term 'ordinarily employed' would mean the total number of workers working in all the shifts which should be over 50% of the working days in the factory.

FORM No. 3

(See rule 9)

Application for Renewal of Licence

Registration No. :
Licence No. :
NIC code No. :
(as given in the licence)

1. Full name of the factory

2. Address

3. Full address to which communication shall be carried (where the factory address serves the purposes of communication also, this information need not be given)

4. A flow chart of the manufacturing process, supplemented by a brief description of the process in its various stages, list of the raw materials used, intermediate products, including omission of toxic gases, etc., finished products, by products, their quantities, methods of storage and handling, loading and transport and details of the arrangements for the disposal of trade waste and effluents, control or elimination (to be enclosed)

5. Maximum number of workers to be employed on any day during the year.

6. Installed power in K.W.

7. The period for which licence or renewal of licence is applied for

8. Name and residential address of occupier.

9. Name and residential address of manager

10. Amount of fee (Rupees.
paid vide treasury challan/crossed cheque/postal order No.
dated on or by
book adjustment vide order No. dated

(1) Signature of occupier
Name (in block letters)
and rubber stamp

(2) Signature of manager
Name (in block letters)
and rubber stamp

FORM No. 4

(See rule 7)

Licence to work a Factory

Nature of industry:

Registration No. :

Licence No.

NIC Code No. :

Licence is hereby granted to for the premises known as situated at plans of which are approved vide

(1) (2) (3)
..... (4) for use as a factory within the limits stated hereinafter, subject to the provisions of the Factories Act, 1948, and the Rules made thereunder, for the following manufacturing processes:—

(1)

(2)

(NIC code number for each process)

The 19

Chief Inspector of Factories
and Boilers.

Details of licence

	Valid for			Fee paid Rs.	Excess Rs.	Additional fee paid for late payment	Date of payment	Signature of the issuing authority
	Calendar year	Maximum number or workers on any one day	Maximum installed power in kilowatts					
Granted under rule 7								
Renewed under rule 9								

Transfers

To whom transferred	Date of transfer	Transfer fee paid and date of payment	Signature of the issuing authority

Amendments

Date when amended	Amended		Date of payment of amendment fee	Amendment fee paid (amount)	Signature of the issuing authority
	Workers	Installed power in kilowatts			

FORM No. 5

(See rule 16)

Notice of change of Manager

Name of the factory :
Postal address of the factory
(town/village,
pin code No.)

Registration No. :
Licence No. :
NIC code No. :

1. Name of the outgoing manager :
2. Date of relinquishing charge :
3. (a) Name of the new manager :
(b) Residential address :
(c) Telephone number :
4. Date of appointment of the new manager :
5. Date on which charge is taken by the new manager :
6. Signature of the new manager :

Signature of the occupier
Name (in block letters)
Address and telephone No.

Date :

FORM No. 6

[See rule 19 (2)]

Certificate of fitness for young person

1. Serial No.:
2. Name of person examined :
3. Fathers's name :
4. Sex :
5. Residence :
6. Date of birth, if available :
7. Referred by —
(a) Name and address of the factory :
(b) Name of the Manager :
8. Manufacturing process in which young person is proposed to be employed :

I certify that I have personally examined the above named person whose identification marks are and who is desirous of being employed in the above mentioned manufacturing process, and that his/her age, as nearly as can be ascertained from any examination is years, and that he/she is * fit/unfit for employment in the said manufacturing process as an * adult/child.

Physical disability, if any :—

Whether the examination is required before expiry of 12 months

Reasons for refusal/revocation of certificate :

Signature or left hand thumb impression of the person examined

Signature of Certifying Surgeon
Name (in block letters)

Notes : — (1) To be issued by the Certifying Surgeon and a copy to be retained for 2 years.

(2) As per the proviso to sub-section (2) of section 69 of the Act, the Certifying Surgeon issuing this certificate should have personal knowledge of the place where the young person proposes to work and of the manufacturing process in which he will be employed.

(3) As per section 69 (3) of the Act, his certificate is valid for one year from the date of issue.

(4) In case of physical disability, the exact details should be clearly stated.

(5) *Please delete what is not applicable.

(6) Young person means a child (who has completed 14 years and not completed fifteen years) or an adolescent (who has completed 15 years and not completed 18 years of age.)

[See rules 19 (7) and 90N and Schedules III, IV, VIII, X, XIV, XVI, XX, XXI, XXIII, XXV, XXVII to rule 131]

HEALTH REGISTER

1. Serial number in the register
of adult workers

2. Name of worker:

3. Sex:
4. Date of birth:

1	Department/works	2	Name of hazardous process	3	Dangerous process/operation	4	Nature of job of occupation	5	Raw materials, products or by-products likely to be exposed to	6	Date of posting	7	Date of leaving/transfer to other work	8	Reasons for discharge/leaving or transfer	Medical examination and the results thereof				If declared unfit for work				Signature with the date of the factory Medical Officer/the Certifying Surgeon		
										9	Date	10	Signs and symptoms observed during examination	11	Nature of tests and results thereof	12	Result fit/unfit	13	Period of temp. withdrawal from that work	14	Reasons for such withdrawal	15	Date of declaring him unfit for that work		16	Date of issuing fitness certificate

Notes:— (1) Separate page should be maintained for individual worker.

(2) Fresh entry should be made for each examination.

FORM No. 8

[See rule 21, 53 and 96 (7) (b)]

Record of lime washing, painting, etc.

Name and number of the room and its location in the factory	Parts of the room treated	Treatment, whether lime washed, colour washed, painted, varnished or oiled	Date of treatment	Remarks

Date:

Signature of Manager:

Name (in block letters)

FORM No. 9

(See rule 29)

Humidity Register

Department
Hygrometer

Distinctive mark or number :
Position in department

Year:

Month :

Date	Reading of hygrometer						Remarks	Signature of the person taking the reading
	Between 7 and 9 a. m.		Between 11 a. m. and 2 p. m. (but not in the rest interval)		Between 4 and 5.30 p. m.			
	Dry bulb	Wet bulb	Dry bulb	Wet bulb	Dry bulb	Wet bulb		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1st								
2nd								
3rd								
4th								
5th								
6th								
7th								
8th								
9th								
10th								
11th								
12th								
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20th								
21st								
22nd								
23rd								
24th								
25th								
26th								
27th								
28th								
29th								
30th								
31st								

Certified that the above entries are correct.

Signature and designation of the person taking the reading.

FORM No. 10

[See rules 61 and 80 (1)]

**Register of workers specially trained for work on or
near machinery in motion**

1. Name of worker :
2. Serial number as in the register of adult workers :
3. Father's name :
4. Date of birth and age :
5. Nature of work :
6. Qualifications, if any, or period of service on similar work. :
7. Date when tight fitting clothing was provided :
8. Remarks

I certify that the above mentioned worker whose signature or left hand thumb impression is given below is a properly trained male adult worker who is competent to mount or ship belts, lubricate or do other adjusting operations on the machinery as specified in proviso to sub-section (1) of section 21, installed in my factory.

Signature or left hand thumb :
impression of worker :

Signature of manager

Name (in block letters)

Date : —

Signature of occupier

Name (in block letters)

FORM No. 11

(See rule 65)

Report of Examination of Hoists and Lifts

Registration No. :
Licence No. :
NIC Code No. :
(As given in the licence)

1. Occupier of premises :
2. Address :
3. (a) Type of hoist or lift and identification number or description :
(b) Date of construction or reconstruction (if ascertainable) :
4. Are all parts of the hoist or lift of good mechanical construction, sound material and adequate strength (so far as ascertainable)?
5. Are the following parts of the hoists or lift properly maintained and in good working order? If not, state what defects have been found
 - (a) Enclosure of hoistway or liftway :
 - (b) Landing gates and cage gate(s) :
 - (c) Interlock and the landing gates and cage gate(s) :
 - (d) Other gate fastening :
 - (e) Cage and platform and fittings, guides, buffers, interior, of the hoistway or liftway
 - (f) Overrunning devices :
 - (g) Suspension ropes or chain and their attachments :

- (h) safety gear i. e. arrangements for preventing fall of platform or cage brakes :
 - (i) Brakes
 - (k) Worm or spur gearing :
 - (k) Other electrical equipment :
 - (l) Other parts :
6. What parts (if any) were inaccessible ? :
7. Repairs, renewals or alterations (if any) required and the period within which they should be executed :
8. Maximum safe working load subject to repairs, renewals or alterations (if any) specified in item 7. :
9. Other particulars :

I/we certify that on (date) I/we have thoroughly examined this hoist or lift and the above is a correct report of the result.

Signature and name of the
competent person

Number and date of the
competency certificate

Date :—

Issued by :

FORM No. 12

[See rule 67 (4)]

Report of examination of the lifting machines, ropes and lifting tackles

PARTICULARS

1. Name of the occupier of factory :
2. Address of factory :
3. Distinguishing number of mark, if any, and description sufficient to identify the lifting machines, chains, ropes or the lifting tackle :
4. Date when the lifting machines, chain, rope or lifting tackle was first used in the factory :
5. Date of each examination made under section 29 (1) (a) (iii) and by whom it was carried out :
6. Date and number of the certificate relating to any test and examination made under sub-rule (1) and (9) of rule 67 together with the name of the person who issued the certificate :
7. Date of annealing or other heat treatment of the chain and lifting tackle carried out under sub-rule (7) of rule 67 and by whom it was carried out :
8. Particulars of any defect found at any such examination or after annealing and affecting the safe working load and of the steps taken to remedy defect.

I/We certify that on I/We thoroughly, examined the above mentioned lifting machine/chain/rope/lifting tackle and that the above is a correct report of the result.

Signature

Countersignature
If employed by a Company or Association,
give name and address.

Qualification
Address

Date :

Date

FORM NO. 13

{See rule 68 (9) (b) }.

Report of Examination or Test of Pressure Vessels or Plant

Registration No. :
Licence No. :
NIC Code No. :
(As given in the licence)

1. Occupier of premises :
2. Address :
3. Name, description and distinctive number of pressure vessel of plant :
4. Name and address of manufacturer :
5. Nature of process in which it is used :
6. Particulars of pressure vessel or plant —
 - (a) Date of construction :
 - (b) Thickness of walls :
 - (c) Date on which it was first taken into use :
 - (d) Safe working pressure recommended by the manufacturer :
 - (e) Design pressure, if known :
7. Date of —
 - (a) Last external examination :
 - (b) Last internal examination :
 - (c) Last hydraulic examination :
 - (d) Last ultrasonic test or other NDT tests :
8. (a) Whether lagging was removed for purposes of examination :
 - (b) Is the vessel exposed to wetness or dampness :
9. Description of examination carried out and findings —
 - (a) External examination (give reasons if it is not carried out six monthly)
 - (b) Internal examination (give reasons if it is not carried out annually) :
 - (c) Hydraulic test
(give reasons if this is not carried out at intervals of 2 years or 4 years)

(d) Ultrasonic test or other Non-Destructive Tests :

10. Condition of pressure plants —

(i) Vessel

(ii) Piping

11. (a) Are the required fittings and appliances provided in accordance with the rules in force :

(b) Conditions of fittings and appliances :

(i) Pressure guages :

(ii) Safety Valve :

(iii) Stop Valve :

(iv) Reducing valve (give reasons if not necessary)

(v) Additional safety valve (required in case reducing valve is necessary)

(vi) Other devices (Please specify particularly in case of jacketted vessels)

(c) Have the pressure settings been checked and connected :

12. Maximum permissible working pressure, calculated from dimensions and from the thickness and other data ascertained by the present examination, due allowance being made for conditions of working, if unusual or exceptionally severe (state minimum thickness of walls measured during the examination)

13. (a) Repairs (if any) required :

(b) Period within which the repairs should be executed :

(c) Any other condition which the person making the examination thinks it necessary for securing safe working. :

14. (a) Specify reduced working pressure pending repairs :

(b) Specify working pressure after completion of repairs :

15. Safe working pressure calculated as per methods given in sub-rule (8) of rule 68 for thin walled pressure vessel or plant. :

16. Other observations

I certify that on (date) the pressure vessel or plant described above was thoroughly cleaned and (so far as its construction permits) made accessible for thorough examination and for such tests as were necessary for thorough examination and that on the said date, I thoroughly examined this pressure or plant, including its fittings, and that the above is a true report of my examination.

Signature and name of competent person :

Number and date of the competency certificate :

Date :

Issued by :

Register of Examination of Gas-Holders

Particulars of manufacture—

(a) Maker's name:

(c) Number of lifts:

(e) Pressure within the gas holder when full of gas:

(b) Date of manufacture:

(d) Maximum capacity in cubic metres:

(f) Name of the gas to be stored:

Distinguishing number or letter of gas holder	Particulars of examination carried out under sub-rules 81 (4) and (5)		Particulars of repair				Remarks
	Method of Examination used	Date of examination	Name and Designation of the competent person	Nature of repairs	Date of repairs and painting	By whom repairs are carried out	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Signature of occupier or manager
Name (in block letters)

Note:—A separate page should be maintained in respect of each gas holder.

FORM No. 15

[See rule 81 (8) (c)]

Report of Examination of Water Sealed Gas Holder

Registration No. :
Licence No. :
NIC code No. :
(As given in the licence)

1. Occupier of premises :
2. Address :
3. Name, description, distinguishing number or letter and type of gas holder :
4. Name and address of the manufacturer :
5. (a) Number of lifts :
- (b) Maximum capacity in cubic metres :
- (c) Pressure within the gas holder when full of gas :
6. Name of the gas to be stored in the holder :
7. Whether the examination was internal or external :
8. Parts of the gas holders examined by electronic or other accurate devices or by cutting sample discs and results thereof :
9. Particulars as to the condition of —
 - (a) crown
 - (b) side sheeting, including grips and cups :
 - (c) guiding mechanism (roller carriages, rollers, pins, guide rails, or ropes)
 - (d) tank and
 - (e) other structure, if any, columns, framings and bracing)
10. Particulars as to the position of the lift at the time of examination :
11. Particulars as to whether the tank and lifts were found sufficiently level for safe working and if not, the steps taken to remedy the defect.
12. Date of examination and by whom it was carried out
12. (a) Are all fittings and appliances properly maintained and in good condition ?
- (b) Repairs, if any, required and period within which they should be executed ?
- (c) Any other condition which the person making the examination thinks it necessary for securing safe working.
14. Other observations

I certify that on (date) the gas holder described above was thoroughly examined and such of the tests as were necessary made on the same day and that the above is a true report of my examination.

Signature and name
of competent person

Number and date of the
competency certificate

Issued by :

Date :—

FORM No. 16

[See rule 89 (4)]

Record of eye examination for drivers and signaller of cranes, locomotives, etc.

Serial Number :

Name of the worker :

His serial number in the register of adult workers :

Sex :

Date of birth :

Department/works	Occupation		Examination of eye sight				Remarks	Signature of ophthalmologist
	Nature	Date of posting	Date	Result				
				L. E.	R. E.	Colour vision		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Note: (1) A separate page is to be maintained in respect of each worker.

(2) Periodicity for eye examination is once in a year upto the age of 45 years and half yearly thereafter.

FORM No. 17

(See rule 111)

Register of compensatory holidays

Sr. No.	Serial number in the register of adult workers	Name	Group or relay number	Number and date of exempting order or rule under which it is granted	Year	Date of weekly rest days lost due to the exempting order in				Dates of Compensatory Holidays given in				Lost rest days carried to the next year	Remarks
						January to March	April to June	July to September	October to December	January to March	April to June	July to September	October to December		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

Note:- This register shall be preserved for a period of three years after the last entry.

FORM No. 18

(See rule 113)

Overtime muster roll for exempted workers

Month ending 19

Sr. No.	Serial number in the register of adult workers	Name of exempted workers	Department	Normal hours of work prescribed		Date	Overtime worked		
				Daily	Weekly		Additional production for place rate worker	Hours	Total overtime hours
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Cash equivalent of the advantages occurring through the concessional sale of foodgrains etc.	Normal rate of pay		Overtime during the month		Earnings during the month			Date on which overtime payment made
	Per hour	Per piece	Per hour	Per piece	Normal	Overtime	Total (col. 16 + col. 17)	
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)

- Note:-
- (1) This register is to be maintained in respect of all workers, exempted under section 64 or 65 from the provisions of sections 51 and 54.
 - (2) This register shall be preserved for a period of three years after the last entry.
 - (3) In col. (9), equivalent hours for additional production of pieces reported in col. (8) as converted according to section 59 (3).

FORM No. 19

(See rule 116)

Notice of period of work for Adult Workers

Name of factory:

Address:

District:

First day of the week:

Registration number:

Licence number:

NIC Code number:

(As given in the licence)

Periods of work	Men																Women																Identification of the group*		Remarks
	Total number of men employed																Total number of women employed																Alphabet assigned A, B, C, etc.	Nature of work	
	A				B				C				D				A				B				C				D						
Groups	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	A B C	D E						
Relays	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3								
On working days																																			
From																																			
to ...																																			
From																																			
to																																			
From																																			
to																																			
On partial working days																																			
From																																			
to ...																																			
From ...																																			
to																																			

* Date on which this notice is first exhibited:

Describe the groups and explain the nature of work
against identification letter marked A, B, C, D, E,
Rest interval for each shift should be indicated clearly

Signature of manager:

Name (in block letters)

Date:

FORM No. 20

(See rule 117)

Register of adult workers

[illegible]

FORM No. 21

(See rule 121)

Notice of period of work for child workers

Name of factory:

Registration No.:

Address:

Licence No.:

District:

NIC Code No.:

First day of the week:

(As given in the licence)

Period of work	Children						Identification of the Groups*		Remarks	
	Groups	Total number of children employed						Alphabet assigned		Name of work
		A	B		C					
	Relays	1	2	1	2	1	2			
From to								A B C		

Date on which this notice is first exhibited:

Signature of Manager:

Name (in block letters)

Date:

* Describe the groups and explain the nature of work.

FORM No. 22

(See rule 122)

Register of child workers

[illegible]

FORM No. 23

(See rule 123)

Register of Leave with Wages

- (1) Name :
 (2) Sex :
 (3) Father's/husband's name :
 (4) Serial number in the register of adult/child workers:
 (5) Department :
 (6) Designation :
 (7) Date of joining employment :
- (8) Date of discharge/dismissal/
 /quitting employment/
 /superannuation/death
 while in service:
 (9) Date of payment in lieu of
 leave with wages due in
 such cases:
- (10) Whether leave in
 accordance with
 scheme under
 section 79(8)
 was refused:

Calendar year of service (i.e. pre- vious year)	Leave due as on 1st January of the year in col. 1		Leave availed during the year				Leave refused out of regular leave mentioned in column 3
			Refused	Regular	Dates		
					From	To	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Number of working days for computation of leave during the year mentioned in column (1)					Regular leave earned for the year mentioned in col. (1)	Balance of leave admissible on 1st January of the year following the year mentioned in column (1)	
Days worked	Lay off	Maternity leave upto 12 weeks	Leave with wages enjoyed	Total (9) to (12)		Refused (Col. 2+8-4)	Regular (Col. 3+14-5-8)
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

Leave period (i. e. col. (4) + col. (5) in days	Normal rates of wages excluding of any overtime as well as bonus but including of dearness allowance (Rs.)	Details of wages paid			Signature
		Cash equivalent of the advantages accruing through the concessional sale of food grains and other articles	Rate of wages for leave with wages paid (Rs.) [col. (18) + col. (19)]	Total wages paid for the period of leave with wages enjoyed (Rs.) [(col. (17) x col. (20))]	
(17)	(18)	(19)	(20)	(21)	(22)

- Notes:-
- (1) Separate register should be maintained for adult/child.
 - (2) A child shall include an adolescent worker who has not been certified fit to work as an adult.
 - (3) A separate page should be maintained in respect of each worker.
 - (4) Leave earned in column (14) is calculated on the basis of number of days worked given in column (9).
 - (5) As per section 79 (5), figures in column (16) should not exceed 30 days in case of adult and 40 days in case of child worker.
 - (6) Delete which is not required.

FORM No. 24

(See rule 124)

Leave Book

- (1) Name :
(2) Sex :
(3) Father's/Husband's name :
(4) Serial number in the register of adult/Child workers :
(5) Department :
(6) Designation :
(7) Date of joining employment :
(8) Date of discharge/
/dismissal/quitting
employment/
/superannuation/
/death while in service:
(9) Date of payment in lieu
of leave with wages
due in such cases:
(10) Whether leave in
accordance with
scheme under
section 79 (8)
was refused :

Calendar year of service (i. e. previous year)	Leave due as on 1st January of the year in column (1)		Leave availed during the year				Leave refused out of regular leave mentioned in column (3)
			Refused	Regular	Dates		
	Refused	Regular			From	To	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Number of working days for computation of leave during the year mentioned in column (1)					Regular leave earned for the year mentioned in col. (1)	Balance of leave admissible on 1st January of the year following the year mentioned in col. (1)	
Days worked	Lay off	Maternity leave upto 12 weeks	Leave with wages enjoyed	Total (9) to (12)		Refused	Regular
						(Col. 2+8-4)	(Col. 8+14-5-8)
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

Leave period (i. e. col. (4) + col. (5) in days	Normal rates of wages excluding of any overtime as well as bonus but including of dearness allowances (Rs.)	Details of wages paid			Signature
		Cash equivalent of the advantages accruing through the concessional sale of foodgrains and other articles	Rate of wages for leave with wages paid (Rs) (col. (18) + col. (19)	Total wages paid for the period of leave with wages enjoyed (Rs) (col. (17) + col. (20)	
(17)	(18)	(19)	(20)	(21)	(22)

Note: - The leave book shall be made out separately for giving to each worker on thick bound sheets.

FORM No. 25

(See rule 129)

Nomination for payment of wages due for period of leave with wages in the event of death of worker

I hereby nominate Shri who is my and resides at to receive the amount of the balance of my pay in lieu of the quantum of leave not availed of, in the event of my death before resuming work.

Dated this day of 19 , at

Witnesses :

(1) Signature :

Name :

Address :

(2) Signature _____

Signature or left thumb
impression of the worker

Name : _____

Address :

Particulars of worker such as
serial number in the register of
adult/child workers, section
or department, etc. :

Date : _____

6. Date of birth, if available :

7. Referred by —

(a) Name and address of the _____:

factory

(b) Name of the manager

8. The worker is proposed to be employed in —

(a) Hazardous process

(b) Dangerous operation

I certify that I have personally examined the above named person whose identification marks are and who is desirous of being employed in above mentioned process/operation and that his/her age, as nearly as can be ascertained from my examination, is years and in my opinion he/she is fit/unfit for employment in the said process/operation.

He/she is fit to be employed and may be employed in some other non-hazardous operations such as

He/she may be produced for further examination after a period of

He/she is advised following further examination

He/she is advised following treatment

The serial number of the previous certificate is

Signature or left hand thumb
impression of person
examined

Signature of
Certifying Surgeon:

Date :

FORM No. 26

(See rule 131)

**Certificate of fitness for employment in hazardous
processes/dangerous operations**

(To be issued by Certifying Surgeon)

1. Serial number in the register of adult workers :
2. Name of person examined :
3. Father's name :
4. Sex :
5. Residence :

I certify that I have examined the person mentioned above on (date of examination)	I extend this certificate until (if certificate is not extended, the period for which the worker is considered unfit for work is to be mentioned)	Signs and symptoms observed during examination	Signature of Certifying Surgeon

Note:- To be issued by the Certifying Surgeon and a copy to be maintained in a bound book or in a file.

FORM No. 27

[See paragraph 9 (2) of Schedule II to rule 131]

Health Register

[illegible]

FORM No. 28

[See paragraph 6 (2) of schedule V to rule 131]

Report of Examination and test of Dust extraction or suppression system

1. Description of system

2. Hood —

(a) Serial number of hood

(b) Contaminant captured

Design
value

Actual
value

(c) Capture velocities (at
points to be specified)

(d) Volume exhausted at hood

(e) Hood static pressure

3. Total pressure drop at—

(a) Joints

(b) Other points of system
(to be specified)

4. Transport velocity in duct
(at points along ducts to be
specified)

5. Air cleaning device—

(a) Type used

(b) Velocity at inlet

(c) Static pressure at inlet

(d) Velocity at outlet

(e) Static pressure at outlet

6. Fan —

(a) Type used

(b) Volume handled

(c) Static pressure

(d) Pressure drop at outlet of fan

7. Fan motor —

(a) Type

(b) Speed and power in kilowatts

8. Particular of defects, if any, dis-
closed during test in any of the above
components

I certify that on (date) the above dust extraction system was
thoroughly cleaned and (so far as its construction permits) made acces-

sible for thorough examination. I further certify that on the said date, I
thoroughly examined the above dust extraction system including its
components and fittings and that the above is a true report of my
examination.

Signature:

Qualification:

Address:

Date:

If employed by a company or
association, name and address of
the company or association:

FORM No. 29

(See rule 90-N)

Certificate of fitness for employment in hazardous process and
operations

(To be issued by Factory Medical Officer)

1. Serial number in the register :
of adult workers
2. Name of person examined :
3. Father's/Husband's name :
4. Sex :
5. Residence :
6. Date of birth, if available :
7. Name & address of the factory :
8. The worker is employed/prop-
osed to be employed in —
(a) Hazardous process :
(b) Dangerous operation :

I certify that I have personally examined the above named person
whose identification marks are and who is desirous of being
employed in above mentioned process/operation and that his/her age, as
nearly as can be ascertained from my examination, is years.

In my opinion he/she is fit for employment in the said manufacturing
process/operation.

In my opinion he/she is unfit for employment in the said manufac-
turing process/operation for the reasons He/she
is referred for further examination to the Certifying Surgeon.

The serial number of the previous certificate is

Signature or left
hand thumb impression
of person examined:

Signature of the
Factory Medical Officer:

Date:

Stamp of Factory Medical
Officer with name of the
factory:

I certify that I have examined the person mentioned above on (date of examination)	I extend this certificate until (if certificate is not extended, the period for which the worker is considered unfit for work is to be mentioned)	Signs and symptoms observed during examination	Signature of the factory Medical Officer with date

6. (a) Describe briefly how the accident or dangerous occurrence took place
- (b) If caused by machinery —
- (i) Give the number of machine and the part causing the accident or dangerous occurrence. :
- (ii) State whether it was moved by mechanical power at the time of accident or dangerous occurrence. :
- (c) Give the total number of persons injured/killed :

Note:— (1) If declared unfit, reference should be made immediately to the Certifying Surgeon.

- (2) Certifying Surgeon should communicate his findings to the occupier within 30 days of the receipt of this reference.

Number of persons injured		Number of persons killed	
Inside the factory	*Outside the factory	Inside the factory	*Outside the factory

FORM No. 30

[See rule 132 (3)]

**Report of Accident including dangerous occurrence
resulting in death or bodily injury**

(This report is to be furnished separately for every individual worker injured or killed)

ESIC Employer's Code
number

Registration Number

Name and address of Local
ESIC-Office

Licence Number

ESIC Insurance No. of the
injured

NIC Code Number

(As given in the licence)

- Name and address of factory :
- Name, address and telephone number of the occupier :
- Nature of Industry :
- Date, shift and hour of accident or dangerous occurrence :
- Department/section and exact place where the accident or dangerous occurrence took place :

7. Names and addresses of witnesses : (1)
(2)

8. Cause of accident or dangerous occurrence :

*If in any accident/dangerous occurrence, persons outside the factory premises are injured or killed, please furnish the information to the extent available.

Note:- Details regarding injury and persons injured/killed should be submitted in the format given in the annexure.

(To be completed by the Inspector of Factories)

- Date of receipt of the report :
- District :
- (a) Number allotted to accident involving and/or fatality :
(b) Number allotted to dangerous occurrence involving reportable injury and/or fatality :
- Date of investigation :
- Classification of accident :

(a) Causewise (give code) :	(b) Does this work fall in the category of hazardous/ /dangerous process or operation :	Hazardous process Dangerous operation
(b) Industrywise (give NIC Code) :		
(c) Dangerous operationwise (give Schedule number under section 87) :	(c) In your opinion, was the injured person at the time of accident or dangerous occurrence — :	
(d) Hazardous processwise [(section 2 (cb))]. :		
(e) Occupationwise (NCO-Code number) :	(i) acting in contravention of provisions of any law applicable to him; or :	
6. Result of investigation :	(ii) acting in contravention of any orders given by or on behalf of his employer; or :	
7. Remarks if any :	(iii) acting without instructions from his employer :	
Date: _____	Signature of the Inspector Name (in block letters)	

ANNEXURE

1. Particulars of injured/ /killed person :	4. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :
(a) Name :	(b) Whether wages in full or part are payable to him for the day of the accident or dangerous occurrence :
(b) Age :	
(c) Sex :	5. In case the accident or dangerous occurrence took place while travelling in the employers' transport, state whether —
(d) Sr. No. in the register of adult worker :	(a) the injured person was travelling as a passenger to and from his place of work; :
(e) Address :	(b) the injured person was travelling with the express or implied permission of his employer; :
(f) Precise occupation :	(c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; :
(g) Nature of job :	(d) the vehicle is being/not being operated in the ordinary course of public transport service :
2. Particulars of injury —	6. In case the accident or dangerous occurrence took place while meeting emergencies state —
(a) Fatal (time and date of death) :	(a) its nature; and
(b) Non-fatal (if serious, give the extent of injury such as loss of limb/sight and hearing, fracture, permanent, impairment, severe burns, etc.) :	
(c) State whether the injured person was disabled for more than 48 hours :	
(d) Date and hour if returned to work :	
(e) Location of injury (i. e. part of body such as right leg, left hand, left eye, etc. injured) :	
3. (a) State exactly what the injured person was doing at the time of accident or dangerous occurrence. :	

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of his employer's trade or business in or above the premises at which the accident or dangerous occurrence took place :

7. (a) Physician, dispensary or hospital from whom or in which the injured person received or is receiving treatment :

(b) Name of dispensary/panel doctor selected by the injured person :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Dated:-

Signature of manager/occupier
Name (in block letters)
Address and tel. No.:

FORM No. 31

[See rule 132 (3)]

Report of Dangerous occurrence which does not result in bodily injury

Registration No. :
Licence No. :
NIC Code No. :
(As given in the licence)

1. Name and address of factory :
2. Name, address and telephone number of the occupier :
3. Name of the manager :
4. Nature of industry :
5. Department/section and exact place where the dangerous occurrence took place :
6. Date and hour of dangerous occurrence :
7. (a) Type of dangerous occurrence (see over leaf):

(b) Did it involve : Explosion ☐, Fire ☐
Emission of toxic/flammable explosive substances ☐ substances emitted ☐

8. State exactly what happened :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Date of despatch of report. Signature of manager
Name (in block letters)
Address and Tel. No.:

(To be completed by the Inspector of Factories)

1. Date of receipt of the report :
2. District :
3. (a) Number allotted to the dangerous occurrence not involving injury and/or death :
- (b) Number allotted to "Major Accident" not involving reportable injuries and/or death. :
4. Date of investigation :
5. Cause :
6. NIC-Code (as given in the licence) :
7. Result of investigation :

Date:

Signature of the Inspector
Name (in block letters)

SCHEDULE

The following classes of dangerous occurrences, whether or not they are attended by personal injury or disablement:-

- (1) Bursting of a plant used for containing or supplying steam under pressure greater than atmospheric pressure.
- (2) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.
- (3) Explosions, fire, bursting out, leakage or escape of any molten metal or hot liquor or gas causing body injury to any person or

damage to any room or place in which persons are employed, or fire in rooms of cotton pressing factories when a cotton opener is in use.

(4) Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

(5) Collapse or subsidence of any floor, gallery, roof, bridge, tunnel, chimney, wall, building or any other structure.

FORM No. 32

(See rule 133)

Notice of poisoning or Diseases

(See instruction on reverse)*

ESIC Employers' code No. (i) Registration No.
ESIC Insurance No. (ii) Licence No.
Name and address of the injured person (iii) NIC Code No.
Local ESIC Office (As given in the licence)

1. Name and address of factory :
2. Name, address and telephone number of the occupier :
3. Nature of industry :
4. Particulars of affected worker —

- (a) Name :
- (b) Age :
- (c) Sex :
- (d) Sr. No. as per register of adult/child worker :
- (e) Address :
- (f) Precise occupation :
- (g) Nature of job :

5. Nature of poisoning/disease (give Sr. No. and name as per the list overleaf) :

6. (a) Harmful agent or process to which poisoning or disease is attributed:

(b) Approximate date of beginning and cessation of exposure of the worker to the harmful agent or process. :

7. Has the case been reported to the Certifying Surgeon/ Administrative Medical Officer, ESIC/Medical Inspector of Factories Yes/No

Signature of Manager :
Name (in capital letters)
Telephone No.

Note:- This notice should be sent forthwith to the following authorities:-

- (i) Chief Inspector of Factories
- (ii) Medical Inspector of Factories
- (iii) Certifying Surgeon
- (v) Administrative Medical Officer, ESIC

(To be filled in by the Factory Inspectorate)

Number of the case :
Remarks :

Signature
Name (in block letters)
Designation

Date:-

*Notice of poisoning or disease

EXTRACT FROM THE FACTORIES ACT, 1948
(SECTION 89)

Where any worker in a factory contracts any disease specified in the schedule, the manager of the factory shall send a notice thereof to such authorities, and in such form and within such time, as may be prescribed.

SCHEDULE

List of Notifiable Diseases

1. Lead poisoning, including poisoning by any preparation of lead or their sequelae.
2. Lead tetra-ethyl poisoning.
3. Phosphorous poisoning or its sequelae.
4. Mercury poisoning or its sequelae.
5. Manganese poisoning or its sequelae.
6. Arsenic poisoning or its sequelae.
7. Poisoning by nitrous fumes.
8. Carbon disulphide poisoning.
9. Benzene poisoning, including poisoning by any of its homologues, their nitro or amide derivation of its sequelae.
10. Chrome ulceration or its sequelae.

11. Anthrax
12. Silicosis
13. Poisoning by halogens or halogen derivatives of the hydrocarbons of the aliphatic series.
14. Pathological manifestation due to —
 - (a) radium or other radio-active substances; and
 - (b) X-rays
15. Primary epithelionatous cancer of skin
16. Toxicanaemia
17. Toxic jaundice due to poisonous substances
18. Oil acne or dermatitis due to mineral oils and compounds containing mineral oil base.
19. Byssinosis
20. Asbestosis
21. Occupational or contact dermatitis caused by direct contact with chemicals and paints. These are of two types that is, primary irritants and allergic sensitizers.
22. Noise induced hearing loss (exposure to high noise levels)
23. Beryllium poisoning
24. Carbon monoxide
25. Coal miners pneumoconiosis
26. Phosgene poisoning
27. Occupational cancer
28. Isocyanates poisoning
29. Toxic nephritis

FORM No. 33

(See rule 135)

**ABSTRACT OF THE FACTORIES ACT, 1948 AND
THE GOA, DAMAN AND DIU FACTORIES
RULES, 1985**

(To be displayed in a conspicuous and convenient place at or near the main entrance to the factory)

1. "Factory" means any premises including the precincts thereof —

- (i) whereon ten or more workers are working, on any day of the preceding twelve months, and in any part of which manu-

facturing process is being carried on with the aid of power, or is ordinarily so carried on, or

- (ii) whereon twenty or more workers are working, or were working on any day of the preceding twelve months and in any part of which a manufacturing process is being carried on without the aid of power, or is ordinarily so carried on.

but does not include a mine subject to the operation of the Mines Act 1952 (Central Act 35 of 1952), or a mobile unit belonging to the armed forces of the Union, a railway running shed or hotel, restaurant or eating place.

Explanation: For computing the number of workers for the purposes of this clause all the workers in different groups and relays in a day shall be taken into account.

2. "Worker" means a person employed directly or through any agency (including a contractor) with or without the knowledge of the principal employer, whether for remuneration or not in any manufacturing process, or in cleaning any part of the machinery or premises, used for manufacturing process, or in any other kind of work incidental to, or connected with, the manufacturing process, or the subject of the manufacturing process; but does not include any member of the armed forces of the Union.

3. "Manufacturing Process" means any process of—

- (i) making, altering, repairing, cleaning, ornamenting, finishing, pacing, oiling, washing, breaking up, demolishing or otherwise treating or adapting any article or substance with a view to its use, sake, transport, delivery or disposal; or

- (ii) pumping oil, water, sewage or any other substances; or

- (iii) generating, transforming or transmitting power; or

- (iv) composing types of printing, printing by letter press, lithography, photogravure or other similar process or book-binding; or

- (v) constructing, reconstructing, repairing, refitting, finishing or breaking up ships or vessels; and

- (vi) preserving or storing any article in cold storage.

4. *General duties of the Occupier (section 7-A).*— (1) Every occupier shall ensure, so far as is reasonably practicable, the health, safety, and welfare of all workers while they are at work in the factory.

(2) Without prejudice to the generality of the provisions of sub-section (1), the matter to which such duty extends, include:—

- (a) the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health;

- (b) the arrangements in the factory for ensuring safety and absence or risks to health in connection with the use, handling, storage and transport of articles and substances;

(c) the provision of such information, instruction, training and supervision as are necessary to ensure the health and safety of all workers at work;

(d) the maintenance of all places of work in the factory in a condition that is safe and without risks to health and the provision and maintenance of such means of access to, and egress from, such places as are safe and without such risks;

(e) the provision, maintenance or monitoring of such working environment in the factory for the workers that is safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.

(3) Except in such cases as may be prescribed, every occupier shall prepare, and, as often as may be appropriate, revise, a written statement of his general policy with respect to the health and safety of the workers at work and the organisation and arrangements for the time being in force for carrying out policy, and to bring the statement and any revision thereof to the notice of all the workers in such manner as may be prescribed.

Working hours, holidays, intervals after rest, etc.

5. Hours of work for adults (section 51 and 54). — No adult worker shall be required or allowed to work in a factory for more than 48 hours in any week and for more than 9 hours in any day.

6. Relaxation of hours of work for adults (section 64). — The ordinary limits on working hours of adult may be relaxed in certain special cases, e. g., workers engaged on urgent repairs, in work in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory: in work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest; in any work which for technical reasons must be carried on continuously; in making or supplying articles of prime necessity which must be made or supplied every day; in a manufacturing process which cannot be carried on except during seasons, or at times dependent on the irregular action of natural forces; in engine rooms or boiler houses or in attending to power plant or transmission machinery; in the printing of newspapers, who are held up on account of the breakdown of machinery; in the loading or unloading of railway wagons or lorries or trucks; and in any work which is notified by the State Government in the Official Gazette as a work of National importance.

Except in the case of urgent repairs, the relaxation shall not exceed the following limits of work inclusive of overtime—

(i) the total number of hours of work in any day shall not exceed ten;

(ii) the spreadover inclusive of intervals for rest, shall not exceed 12 hours in any one day;

(iii) the total number of hours of work in a week, including overtime, shall not exceed sixty;

(iv) the total number of hours of overtime work shall not exceed fifty for any one quarter.

7. Payment for overtime (section 59).— Where a worker works in a factory for more than 9 hours in any day or for more than 48 hours in any week, he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.

8. Exemption of supervisory staff (section 64).— Chapter VI, of the Act other than the provisions of clause (b) of sub-section (1) of section 66 and of the proviso to that sub-section, of the Act, working hours of adults - does not apply to persons holding position of supervision or management or who are employed in a confidential position in a factory, provided that where the ordinary rate of wages of such person does not exceed rupees sixteen hundred per month, they are entitled to extra wages in respect of overtime worker under section 59.

9. Weekly holidays (adults) (section 52).— No adult worker shall be required or allowed to work in a factory on the first day of the week, unless—

(a) he has, or will have a holiday for a whole day on one of the three days immediately before or after the said day; and

(b) the manager of the factory, has, before the said day or the substituted day under clause (a) whichever is earlier —

(i) delivered a notice at the office of the Inspector of his intention to require the worker to work on the said day and of the day which is to be substituted; and

(ii) displayed a notice to that effect in the factory:

Provided that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

10. Compensatory holidays (section 53). — Where a worker in a factory as a result of exemption from the ordinary provisions relating to weekly holidays, if deprived of any of the weekly holidays, he shall be allowed, within the month in which the holidays were due to him or within the two months immediately following that month, compensatory holiday of equal number of the holidays so lost.

11. Intervals for rest for adults (sections 55 and 56). — The periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed 5 hours and that no worker shall work for more than 5 hours before he has had an interval for rest of at least half an hour and that inclusive of his intervals for rest they shall not spread over more than ten and a half hours in any day or, with the permission of the Chief Inspector in writing, 12 hours.

12. Prohibition of double employment (sections 60, 71 and 99). — No child or, except in certain circumstances an adult worker, shall be required or allowed to work in any factory on any day on which he has already been working in any other factory.

If a child works in a factory on any day on which he has already been working in another factory, the parent or guardian of the child or the person having custody of or control over him or obtaining any direct benefit from his wages, shall be punishable with fine, which may extend to Rs. 1000/- unless it appears to the court that

the child so worked without the consent or connivance of such parent, guardian or person.

13. *Prohibition of employment of children under 14 (section 67).*— No child who has not completed his fourteenth year shall be required or allowed to work in any factory.

14. *Hours of work for children (section 71).*— No child shall be employed or permitted to work in any factory for more than four and a half hours on any day and during the period of at least twelve consecutive hours which shall include the interval between 10 p. m. and 6 p. m. The periods of work of all children employed in a factory shall be limited to two shifts which shall not overlap or spread over for more than 5 hours each and each child shall be employed in only one of the relays.

The provisions relating to weekly holidays shall also apply to child workers and no exemption from this provision may be granted in respect of any child.

15. *Prohibition of employment of women (section 66).*— No women shall be required or allowed to work in any factory except between the hours of 7 a. m. and 7 p. m. The State Government may vary these limits or exempt this restriction in case of women working in fish-curing or fish-canning factories.

Leave with Wages

16. *Leave with wages (sections 79, 80, 83 and rules).*— Every worker who has worked for a period of 240 days or more in a factory during a calendar year shall be allowed during the subsequent calendar year leave with wages for a number of days calculated at the rate of—

- (i) If an adult, one day for every twenty days of work performed by him during the previous calendar year; and
- (ii) If a child, one day for every 15 days of work performed by him during the previous calendar year.

Explanation:— For the purpose of this sub-section —

- (a) any days of lay off, by agreement or contract or as permissible under the standing order;
- (b) in the case of female workers, maternity leave for any number of days not exceeding twelve weeks; and
- (c) the leave earned in the year prior to that in which the leave is enjoyed.

shall be deemed to be days on which the worker has worked in a factory for the purpose of computation of the period of 240 days or more, but he shall not earn leave of these days.

Explanation 2:— The leave admissible under this sub-section shall be exclusive of all holidays whether occurring during or at either end of the period of leave.

For the leave allowed to him, a worker shall be paid at a rate equal to the daily average of his total full-time earnings, for the

days on which he actually worked during the month immediately preceding the leave exclusive of any overtime and bonus, but exclusive of dearness allowance and the cash equivalent of the advantage occurring through the concessional sale to the worker of food grains and other articles.

A worker whose service commence on a day other than the first day of January shall be entitled to leave with wages at the rate indicated above, if he has worked for two-thirds of the total number of days in the remainder of the calendar year.

If a worker is discharged or dismissed from the service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee as the case may be, shall be entitled to wages in lieu of the quantum of the leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death, calculated at the rates specified above, even if he had not worked for the entire period specified above. Such payment shall be made:—

- (i) whether the worker is discharged or dismissed or quits employment, before the expiry of the second working day from the days of such discharge, dismissal or quitting; and
- (ii) where the worker is superannuated or dies while in service, before the expiry of two months from the date of such superannuation or death.

If the employment of a worker who is entitled to leave with wages is terminated by the occupier before he has taken the entire leave to which he is entitled, or if having applied for and having not been granted such leave, the worker quits his employment before he has taken the leave, the occupier of the factory shall pay him the amount payable in respect of the leave not taken, and such payment shall be made before the expiry of the second working day after the day on which his employment is terminated and a worker, who quits his employment on or before the next pay day.

The manager shall maintain a register of leave with wages in Form No. 23 and shall provide each worker with a book called the 'Leave Book' in Form No. 24. The leave book shall be the property of the worker and the manager or his agent shall not demand it except to make entries of the dates of holidays or interruptions in service, and shall not keep it for more than a week at a time. If a worker loses his leave book, the manager shall provide him with another copy on payment of paise 25 and shall complete it from his record.

Health

17. *Cleanliness (section 11).*— Except in cases specially exempted, all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and staircases in a factory shall be kept whitewashed or colourwashed. The white-washing or colourwashing shall be carried out at least once in every period of fourteen months. The floor of every workroom shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or by some other effective method.

18. *Disposal of wastes and effluents (section 12).*— Effective arrangements shall be made in every factory for the treatment of

wastes and effluents due to the manufacturing process carried on therein, so as to render them innocuous, and for their disposal.

19. *Ventilation and temperature (section 13).* — Effective and suitable provision shall be made in every factory for securing and maintaining in every workroom adequate ventilation by the circulation of fresh air and such a temperature as will secure to the workers therein reasonable conditions of comfort and prevent injury to health.

20. *Overcrowding (section 16).* — Unless exemption has been granted there shall be in every workroom of a factory in existence on the date of commencement of this Act, at least 9.9 cubic metres and of a factory built after the commencement of this Act at least 14.2 cubic metres of space for every worker employed therein, and for this purpose no account shall be taken of any space which is more than 4.25 metres above the level of the floor of the room.

21. *Lighting (section 17).* — In every part of a factory where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both.

22. *Drinking water (section 18 and rules).* — In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently situated for all workers employed therein, a sufficient supply of wholesome drinking water.

In every factory wherein more than 250 workers are ordinarily employed the drinking water shall, during hot weather, so cooled by ice or other effective methods. The cooled drinking water shall be supplied in every canteen, lunchroom and restroom and also at conveniently accessible points throughout the factory.

23. *Latrines and urinals (section 19 and rules).* — In every factory sufficient latrines and urinals of the specified types (separate enclosed latrines and urinals for male and female workers) shall be provided and conveniently situated so as to be accessible to workers at all times while they are at the factory. Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and fastening. Sweepers shall be employed whose primary duty will be to keep clean latrines, urinals and washing places.

24. *Spittons (section 20).* — In every factory there shall be provided a sufficient number of spittons of the specified type in convenient places and they shall be maintained in a clean and hygienic condition. No person shall spit within the premises of a factory except in the spittons provided for the purpose. Whoever spits in contravention of this provision shall be punishable with fine not exceeding five rupees.

SAFETY

25. *Fencing of machinery (section 21).* — In every factory dangerous parts of machinery e.g., every moving part of a prime mover and every flywheel connected to a prime mover, etc. shall be securely fenced by safeguard of substantial construction which

shall be constantly maintained and kept in position while the parts of machinery they are fencing are in motion or in use.

26. *Work on or near machinery in motion (section 22).* — No women or young person shall be allowed in any factory to clean, lubricate or adjust any part of a prime mover or any transmission machinery while the prime mover or the Transmission machinery is in motion or to clean, lubricate or adjust any part of any machine if the cleaning, lubrication or adjustment thereof would expose the women or young person to risk of injury from any moving part either of that machine or of any adjacent machinery.

27. *Employment of young persons on dangerous machines (section 23).* — No young person shall be required or allowed to work at any machine declared to be dangerous unless he has been fully instructed as to the dangers arising in connection with the machine and the precautions to be observed and has received sufficient training in work at the machine or is under adequate supervision by a person who has a thorough knowledge and experience of the machine.

28. *Casing of new machinery (section 26).* — In all machinery driven by power and installed in any factory after the commencement of this Act, every set screw, bolt or key on any revolving shaft, sprindle, wheel or pinion shall be so sunk, encased or otherwise effectively guarded as to prevent danger, all spur, worm and other toothed or friction gearing which does not require frequent adjustment while in motion shall be completely encased, unless it is so situated as to be as safe as it would be if it were completely encased.

Whoever sells or lets on hire or, as agent of a seller or hirer, causes or procures to be sold or let on hire, for use in a factory any machinery driven by power which does not comply with these provisions shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

30. *Prohibition of employment of women and children near cotton openers (section 27).* — No women or child shall be employed in any part of a factory for pressing cotton in which a cotton opener is at work.

31. *Excessive weights (section 34 and rules).* — No women or young person shall, unaided by another person, lift, carry, or move by hand or on head, any material, article, tool or appliance exceeding the maximum limit in weight set out in the following schedule:-

SCHEDULE

Person	Maximum weight of material article tools or appliance	
(a) Adult male	55	kilograms
(b) Adult female	30	"
(c) Adolescent male	30	"
(d) Adolescent female	20	"
(e) Male child	16	"
(f) Female child	14	"

32. *Protection of eyes (section 35 and rules).*— Effective screens or suitable goggles shall be provided for the protection of eyes of persons employed in or in the immediate vicinity of processes which involve risk of injury to eyes from particles or fragments thrown off in the course of the processes or which involve risk of injury to eyes by reason of exposure to excessive light or infra-red or ultra-violet radiations.

33. *Precautions in case of fire (section 38 and rules).*— Every factory shall be provided with adequate means of escape in case of fire for the persons employed therein. The doors affording exit from any room shall, unless they are of the sliding type, be constructed to open outwards. Every window, door or other exit affording a means of escape in case of fire, other than the means of exit in ordinary use, shall be distinctively marked. Effective and clearly audible means of giving warning in case of fire to every person employed in the factory shall be provided. Effective measure shall be taken to ensure that wherein more than twenty workers are ordinarily employed in any place above the ground floor, or wherein explosive or highly inflammable materials are used or stored, all the workers are familiar with the means of escape in case of fire and have been adequately trained in the routine to be followed in such case.

Provision relating to hazardous processes

34. *Compulsory disclosure of information by the occupier (section 41-B).* The occupier of every factory involving a hazardous process shall disclose in the manner prescribed all information regarding dangers, including health hazards and the measure to overcome such hazard arising from the exposure to or handling of the materials or substances in the manufacture of transportation, storage and other processes, to the workers employed in the factory, the Chief Inspector, the local authority within whose jurisdiction the factory is situated and the general public in the vicinity.

The occupier shall, at the time of registering the factory involving a hazardous process lay down a detailed policy with respect to the health and safety of the workers employed therein and intimate such policy to the Chief Inspector and the local authority and, thereafter, at such intervals as may be prescribed, inform the Chief Inspector, and the local authority of any change made in the said policy.

The information furnished under sub-section (1) shall include accurate information as to the quantity, specifications and other characteristics of wastes and the manner of their disposal.

Every occupier shall, with the approval of the Chief Inspector, draw up an on-site emergency plan and detailed disaster control measures for his factory and make known to the workers employed therein and to the general public living in the vicinity of the factory the safety measures required to be taken in the event of an accident taking place.

Every occupier of a factory shall:—

(a) if such factory engaged in hazardous process on the commencement of the Factories (Amendment) Act, 1987, within a period of thirty days of such commencement; and

(b) if such factory proposes to engage in a hazardous process at any time after such commencement, within a period of thirty days before the commencement of such process,

inform the Chief Inspector of the nature and details of the process in such form and in such manner as may be specified.

Where any occupier of a factory contravenes the provisions of sub-section (5), the licence issued under section 6 to such factory shall, notwithstanding any penalty to which the occupier or factory shall be subjected to under the provisions of this Act, be liable for cancellation.

The occupier of a factory involving a hazardous process shall, with the previous approval of the Chief Inspector, lay down measures for the handling, usage, transportation and storage of hazardous substances inside the factory premises and the disposal of such substances outside the factory premises and publicise them in the manner prescribed among the workers and the general public in the vicinity.

Section 41- C :

Specific responsibility of the occupier in relation to hazardous processes:— Every occupier of a factory involving any hazardous processes shall —

(a) maintain accurate and up-to-date health records or, as the case may be, medical records, of the workers in the factory who are exposed to any chemical, toxic or any other harmful substances which are manufactured, stored, handled or transported and such records shall be accessible to the workers subject to such conditions as may be specified;

(b) appoint persons who possess qualifications and experience in handling hazardous substances and are competent to supervise such handling within the factory and to provide at the working place all the necessary facilities for protecting the workers in the manner prescribed:

Provided that where any question arises as to the qualifications and experience of a person so appointed the decision of the Chief Inspector shall be final;

(c) Provide for medical examination of every worker:

(i) before such worker is assigned a job involving the handling of, or working with a hazardous substance; and

(ii) while continuing in such job, and after he has ceased to work in such job, at intervals not exceeding twelve months, in such manner as may be specified.

Permissible limits of exposure of chemical and toxic substances (section 41-F).— The maximum permissible threshold limits of exposure of chemical and toxic substances in manufacturing processes (where hazardous or otherwise) in any factory shall be of the value indicated in Second Schedule to the Act.

Workers' participation in safety management (section 41-G).— The occupier shall, in every factory where a hazardous process takes place, or where hazardous substances are used or handled, set up a Safety Committee consisting of equal number of

representatives of workers and management to promote co-operation between the workers and management in maintaining proper safety and health at work and to review periodically the measure taken in that behalf:

Provided that the State Government may, by order in writing and for reasons to be recorded, exempt the occupier of any factory or class of factories from setting up such committee.

The composition of the Safety Committee, the tenure of office of its members and their rights and duties shall be such as may be specified.

Right of workers to warn about imminent danger (section 41-H).— Where the workers employed in any factory engaged in a hazardous process have reasonable apprehension that there is a likelihood of imminent danger to their lives or health due to any accident, they may bring the same to the notice of the occupier, agent, manager or any other person who is in charge of the factory or the process concerned directly or through their representatives in the Safety Committee and simultaneously bring the same to the notice of the Inspector.

It shall be the duty of such occupier, agent, manager or the person in charge of the factory or process to take immediate remedial action if he is satisfied about the existence of such imminent danger and send a report forthwith of the action taken to the nearest Inspector.

If the occupier, agent, manager or the person in charge referred to in sub-section (2) is not satisfied about the existence of any imminent danger as apprehended by the workers, he shall, nevertheless, refer the matter forthwith to the nearest Inspector whose decision on the question of the existence of such imminent danger shall be final.

WELFARE

35. *Washing facilities (section 42 and rules).*— In every factory adequate and suitable facilities for washing shall be provided and maintained for the use of the workers therein. Such facilities shall include soap and nail brushes or other suitable means of cleaning and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.

If female workers are employed separate washing facilities shall be provided and so enclosed or screened that the interior are not visible from any place where persons of the other sex work or pass.

36. *Facilities for storing and drying clothing (section 43 and rules).*— In the case of certain dangerous operations e.g., lead processes, liming and tanning of raw hides and skins, etc. suitable places for keeping clothing not worn during working hours and the drying of wet clothing shall be provided and maintained.

37. *Facilities for sitting (section 44).*— In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position in order that they may take advantage of any opportunities for rest, which may occur in the course of their work.

38. *First-aid and ambulance room (section 45).*— In every factory there will be provided and maintained so as to be readily accessible during all working hours first-aid boxes or cupboards equipped with the prescribed contents. Each first-aid box or cupboard shall be kept in the charge of a separate responsible person who holds a certificate in first-aid treatment recognised by the State Government who shall always be available during the working hours of the factory.

In every factory wherein more than 500 workers are ordinarily employed there shall be provided and maintained an ambulance room of the prescribed size, containing the specified equipment, and in the charge of such medical and nursing staff as may be specified and those facilities shall always be made readily available during the working hours of the factory.

39. *Canteens (section 46 and rules).*— In specified factories wherein more than 250 workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers. Food, drink and other items served in the canteen shall be sold on a non-profit basis and the prices charged shall be subject to the approval of a canteen Managing Committee which shall be appointed by the manager and shall consist of an equal number of persons nominated by the occupier and elected by the workers. The number of elected workers shall be in the proportion of 1 for every 1,000 workers employed in the factory provided that in no case shall there be more than 5 or less than 2 workers on the committee. The committee shall be consulted from time to time as to the quality and quantity of food stuffs to be served in the canteen, the arrangement of the menus, etc. Where the canteen is managed by co-operative society, it is not necessary to appoint a canteen Managing Committee and the prices to be charged may include a margin of profit upto a maximum of 5 per cent of its working capital.

40. *Shelter, restrooms and lunchrooms (section 47).*— In every factory wherein more than 150 workers are ordinarily employed, adequate and a suitable lunchroom, with provision for drinking water, where workers can eat meals brought by them, shall be provided and maintained for the use of the workers.

41. *Creches (section 48 and rules).*— In every factory wherein more than 30 women workers are ordinarily employed there shall be provided and maintained a suitable room or rooms for the use of children under the age of such women. The creche shall be adequately furnished and equipped and in particular there shall be one suitable cot or a cradle with the necessary bedding for each child, at least one chair or equivalent seating accommodation for the use of each mother while she is feeding or attending to her child, and a sufficient supply of suitable toys for older children.

There shall be in or adjoining the creche a suitable wash-room for the washing of the children and their clothing. An adequate supply of clean clothes, soap and clean towels shall be made available for each child while it is in the creche. At least a quarter litre of pure milk shall be available for each child on every day it is accommodated in the creche and the mother of such a child shall be allowed in the course of her daily work suitable intervals to feed the child. For children above two

years of age, there shall be provided, in addition, an adequate supply of wholesome refreshment. A suitably fenced and shady open air playground shall also be provided for the older children.

42. *Welfare Officers (section 49).*— In every factory wherein 500 or more workers are ordinarily employed the occupier shall employ in the factory such number of Welfare Officers as may be specified by the Government from time to time.

SPECIAL PROVISIONS

43. *Dangerous operations (section 87 and rules).*—Employment of women adolescents and children is prohibited or restricted in certain operations declared to be dangerous, e.g., electroplating, manufacture and repair of electric accumulators, glass manufacture, grinding or glazing of metals, manufacture and treatment of lead and certain compounds of lead, sand-blasting, etc.

44. *Notice of accidents (section 88 and rules).*— When and accident occurs which results in the death of any person or which results in such bodily injury to any person as is likely to cause his death, or any dangerous occurrence specified in the Schedule annexed hereto, takes place in a factory, the manager of the factory shall forthwith send a notice thereof by telephone, special messenger or telegram to the Inspector and the Chief Inspector. When any accident or any dangerous occurrence specified in the Schedule annexed hereto, which results in the death of any person or which results in such bodily injury to any person as is likely to cause his death, takes place in a factory, a notice thereof shall be sent also to the District Magistrate or Sub-divisional Officer or to the Office-in charge of the nearest police station and to the relatives of the injured or deceased person.

SCHEDULE

1. Bursting of a plant used for containing or supplying steam under pressure greater than atmospheric pressure.

2. Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.

3. Explosion, fire bursting out, leakage or escape of any molten metal, or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed, or fire in rooms of cotton pressing factories when a cotton opener is in use.

4. Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or solid resulting from the compression of gas.

5. Collapse or subsidence or any floor, gallery, roof, bridge, tunnel, chimney, wall, building or any other structure.

45. *Notice of certain diseases (section 89 and rules).*— Where any worker in a factory contracts any of the following diseases, the manager of the factory shall send forthwith notice in Form No.32 thereof both to the Chief Inspector and the Certifying Surgeon:

Lead, phosphorous, mercury, manganese, arsenic, carbon bisulphide or benzene poisoning; or poisoning by nitrous fumes or by halogens or halogen derivatives of the hydrocarbons of the aliphatic series; or of chrome ulceration, anthrax, silicosis, toxic anaemia, toxic jaundice, primary epitheliomatous cancer of the skin, or pathological manifestations due to radium or other radioactive substances or X-rays.

46. *No charge for facilities and convenience (section 114).*— No fee or charge shall be realised from any worker in respect of any arrangements or facilities to be provided, or any equipments or facilities to be provided, or any equipments or appliances to be supplied by the occupier under the provisions of this Act.

47. *Power of Inspectors (sections 9 and 82).*— Inspectors have powers to inspect factories any time and may require the production of registers, certificates, etc. prescribed under the Act and the rules.

Any inspector may institute proceedings on behalf of any workers to recover any sum required to be paid by an employer under the provisions relating to leave with wages, which the employer has not paid.

48. *Obligations of workers (sections 97 and 111).*— No worker in a factory—

(i) shall wilfully interfere with or misuse any appliance, convenience or other thing provided in a factory for the purpose of securing the health, safety or welfare of the workers therein;

(ii) shall wilfully and without any reasonable cause do anything likely to endanger himself or others; and

(iii) shall wilfully neglect to make use of any appliance or other thing provided in the factory for the purpose of securing the health or safety of the workers therein.

If any worker employed in a factory contravenes any of these provisions he shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to Rs. 100/- or with both.

If any worker employed in a factory contravenes any provision of the Act or any rules or orders made thereunder, imposing any duty or liability on workers, he shall be punishable with fine which may extend to Rs. 500/-.

Right of workers, etc. (section 111-A).— Every worker shall have the right to—

(i) obtain from the occupier, information relating to workers' health and safety at work;

(ii) get trained within the factory wherever possible, or, to get himself sponsored by the occupier for getting trained at a training centre or institute, duly approved by the Chief Inspector, where training is imparted for workers' health and safety at work.

(iii) represent to the Inspector directly or through his representative in the matter of inadequate provision for protection of his health or safety in the factory.

49. *Certificates of fitness (sections 69, 70 and 98).*—No child that is a person who has not completed his fourteenth year or an adolescent shall be required or allowed to work in any factory unless a certificate of fitness granted with reference to him is in the custody of the manager of the factory and such child or adolescent carries, while he is at work, a token giving a reference to such certificate. Any fee payable for such a certificate shall be paid by the occupier and shall not be recoverable from the young person, his parents or guardian.

An adolescent who has been granted a certificate of fitness to work in a factory as an adult and who while at work in a factory carries a token giving reference to the certificate shall be deemed to be an adult for all the purposes of the provisions of the Act relating to the working hours of adults and the employment of young persons. An adolescent who has not been granted a certificate of fitness to work in a factory as an adult shall, notwithstanding his age, be deemed to be a child for all the purposes of the Act.

Whoever knowingly uses or attempts to use, as a certificate of fitness granted to himself, a certificate granted to another adolescent to work in a factory as an adult or who having produced such a certification knowingly allows it to be used, or an attempt to use to be made, by another person shall be punishable with imprisonment for a term which may extend to two months or with fine which may extend to Rs. 1000/- or with both.

50. *Registers, notices and returns (sections 61, 62, 63, 72, 73, 74 and 110 and rules).*—A register of adult workers in the Form No. 20 and a register of child workers in the Form No. 22 shall be maintained by the manager of every factory.

A notice of periods of works for adults and notice of period of work for children in the Form Nos. 19 and 21 shall be correctly maintained and displayed in every factory. No adult worker or child shall be required or allowed to work in any factory otherwise than in accordance with their respective notices of periods of work displayed in the factory.

The owners, occupiers or manager of factories shall submit the prescribed periodical returns to the Inspector regularly.

FORM No. 34

[See rule 136 (a)]

Annual Returns

FOR THE YEAR ENDING 31ST DECEMBER, 19

(A copy of this return should be sent to the prescribed authorities positively by 31st January of the succeeding year)

PART - A

1. (a) Registration number of factory :
- (b) Licence number of factory :
- (c) Section of the Act under which the factory is covered :
Section 2 (m) (i) ☐
Section 2 (m) (ii) ☐
Section 85-
-Chemical ☐
Section 85, non-
-chemical ☐

2. Name of factory :
3. Name of occupier :
4. Name of manager :
5. District :
6. Full postal address of the factory including pin code :
7. Industry
(a) (1) Nature of industry (mention what is actually manufactured, including repairs of all types, following the National Industrial Classification, 1987 at the 4 digit level) :

- (2) NIC code number (4 digit)
(As given in the licence):

- (b) Sector of industry
Please tick (✓) the appropriate box

Public sector ☐
Joint sector ☐
Co-operative ☐
Sector ☐
Private Sector ☐

- (c) In case the factory is a Major Accident Hazard (MAH) Installation, furnish the following information
(See Explanatory note 'AA')

Name of the MAH substance (See Explanatory Note 'BB')	Quantity	
	In stock	In process
1		
2		
3		

1
2
3

8. (a) Number of days the factory worked in the year (see explanatory note 'B') :
- (b) Number of weeks the factory worked in the year :

Number of workers and particulars of employment

9. Number of mandays worked (i. e. aggregate number of attendance) during the year (see Explanatory note 'C') :
(a) Adults (i) Male :
(ii) Female :
(b) Adolescents (i) Male :
(ii) Female :

(c) Children (i) Male :
(ii) Female :

10. Average number of workers employed daily i. e. Mondays worked divided by number of days worked
(See Explanatory note 'D')

(a) Adults (i) Male :
(ii) Female :

(b) Adolescents (i) Male :
(ii) Female :

(c) Children (i) Male :
(ii) Female :

Total

11. Total number of man-hours worked including overtime at excluding rest interval
(see Explanatory note 'E')

(a) Adults (i) Male :
(ii) Female :

(b) Young person (i) Male :
(ii) Female :

12. Average number of hours worked per week

i. e. Total manhours worked
Average daily) X (Number of weeks employment) (the factory worked

(See Explanatory note 'F')

(a) Adults (i) Male :
(ii) Female :

(b) Young person (i) Male :
(ii) Female :

13. In respect of factories carrying on processes or operations declared dangerous under section 87, furnish the following information (see Explanatory note 'O')

Name of dangerous process or operation of carried on (see Explanatory note 'G')	Average number persons employed daily in each of the process or operation given (see Explanation note 'D')	Number of persons			
		Medically examined		Declared unfit	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)					
ii)					
iii) etc.					

14. In respect of factories carrying on 'hazardous process' as defined in section 2 (cb), furnish the following information (see Explanatory note 'H')

Name of the industry as per First Schedule:

Name of the hazardous process (see Explanatory note 'I')	Average number of persons employed daily in each of the process or operation given (see Explanatory note 'D')	Number of person			
		Medically examined		Declared unfit	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)					
ii)					
iii) etc.					

Leave with wages

15. Total number of workers employed during the year (see Explanatory note 'J')

(a) Adults (i) Male :
(ii) Female :

(b) Young person (i) Male :
(ii) Female :

16. Number of workers who were entitled to annual leave with wages during the year

(a) Adults (i) Male :
(ii) Female :

(b) Young person (i) Male :
(ii) Female :

17. Number of workers who were granted 'Leave' during the year (see Explanatory note 'K')

(a) Adults (i) Male :
(ii) Female :

(b) Young person (i) Male :
(ii) Female :

18. (a) Total number of workers discharged/dismissed from the service/quit employment/superannuation/died while in service during the year :

(b) Number of workers in respect of whom wages in lieu of leave were paid :

Safety Officers

(See Explanatory note 'L')

19. (a) Is the factory notified for appointment Safety Officers under section 40-B (1) : Yes ☐ No ☐
(i)
- (b) Is the factory notified for appointment of Safety Officers under section 40-D (1) (ii) (for factories other than those in (a) above) : Yes ☐ No ☐
- (c) Number of Safety Officers appointed :

Health and Safety Policy

Information to be furnished only by —

- (a) Factories covered under section 2 (cb) or section 87 of the Act, and
- (b) Factories other than (a) but employ ordinarily, in case of factories registered under —
(i) section 2m (i), 50 or more workers; and
(ii) section 2m (ii); 100 or more workers.
20. Has the factory formulated health and safety policy? If yes, enclose a copy thereof : Yes ☐ No ☐

Safety Committee

(Information to be furnished only by (i) factories carrying on hazardous process or dangerous operations, and (ii) other factories employing 100 or more workers)

21. Is safety committee appointed? If more than one committee, give numbers : Yes ☐ No ☐

Emergency Plan

Information to be furnished by factories covered under section 2 (cb) (see Explanatory note 'M')

22. (a) Has the factory got on-site emergency plan approved by the factory Inspectorate : Yes ☐ No ☐
- (b) If the factory is required to prepare an off-site emergency plan, has it been prepared? : Yes ☐ No ☐

Medical Facilities

23. Information to be furnished only by —

- (a) Factories employing 200 or less persons covered under sections 2 (cb) or 87:—
(i) Number of Factory Medical Officers (appointed on retainership basis or part-time basis) :
(ii) Number of ambulance vans available with the factory directly or factory arrangement :
(b) Factory employing above 200 workers covered under section 2 (cb) or 87:—
(i) Number of full time Factory Medical Officers :
(ii) Number of ambulance vans available :
(c) All factories employing 500 or more workers:—
(i) Number of full time Factory Medical Officers :
(ii) Number of ambulance vans :
(iii) Number of ambulance rooms provided :

Competent Supervisors

(See Explanatory note 'N')

(Information to be furnished only by factories covered under section 2 (cb))

24. (a) Number of competent Supervisors appointed :
(b) Number of competent supervisors who have received safety training as required under rule 90-S :

Industrial Hygienists

(See Explanatory note 'O')

25. Number of industrial hygienists employed to monitor work environment as required under section 7-A and rules framed under section 112 :

Canteens

26. (a) Is there a canteen provided in the factory as required under section 46 i. e. only those factories will furnish information wherein more than 250 workers are ordinarily employed?

Yes ☐ No ☐

(b) Is the canteen provided manager run

(i) Departmentally, or : Yes ☐ No ☐

(ii) Through a contractor : Yes ☐ No ☐

(b) Are there adequate and suitable lunch rooms provided in the factory (any canteen maintained in compliance with section 46 will be accepted here also)

Yes ☐ No ☐

Creches

28. Is there a creche provided in the factory as required under section 48 (i. e. only those factories will furnish information wherein more than 30 women workers are ordinarily employed)?

Yes ☐ No ☐

Shelters or Rest Rooms and Lunch Rooms

(Only those factories will furnish information wherein 150 or more workers are ordinarily employed)

27. As required under section 47 —

(a) Are there adequate and suitable shelters or rest rooms provided in the factory?

: Yes ☐ No ☐

Welfare Officers

29. (a) Number of Welfare Officers required under section 49 (i. e. only those factories will furnish information wherein 500 or more workers are ordinarily employed?)

(b) Number of Welfare Officers actually appointed :

30. [Accident and dangerous occurrences (see Explanatory note 'P' (1))]

(a) Total number:

Categories	Accident involving							
	Only non-fatal injuries See Explanatory note 'P' (2)			Fatal injuries as well as non-fatal injuries See Explanatory note 'P' (2)				
	Number of			Number of				
	Acci- dents/ occu- rences	Persons injured		Acci- dents/ Occu- rences	Persons injured		Persons killed	
		Inside the factory	Outside the factory		Inside the factory	Outside the factory	Inside the factory	Outside the factory
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1. Accidents including dangerous occurrences and major accidents involving injuries/deaths								
2. Dangerous occurrences not involving injuries/deaths								
3. Dangerous occurrence involving injuries/deaths								
*4. Major accidents involving injuries/deaths								
*5. Major accidents not involving injury/death								

*See Explanatory note 'P' (3)

(b) For injuries occurring inside the factory:

Number of injuries occurring in								
Hazardous process under section 2 (cb)			Dangerous operations under section of			Others		
Number of			Numbers of			Number of		
Accidents	Persons injured		Accidents	Persons injured		Accidents	Persons injured	
	Fatal	Non-fatal		Fatal	Non-fatal		Fatal	Non-fatal
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

(c) (i) Non-fatal injuries

(workers injured) during
the year in which injured
workers returned to work
during the same year :

(aa) Number of injuries :

(bb) Mandays lost due to
injuries :

(ii) Non-fatal injuries

(workers injured) occurring
in the previous year in
which injured workers retur-
ned to work during the year
to which this return relates :

(aa) Number of injuries :

(bb) Mandays lost due to
injuries (this should be
the total mandays lost
during the previous
year as well as in the
current year) :

(d) Non-fatal injuries occurring
in the year in which injured
workers did not return to work
during the year to which this
return relates :

(aa) Number of injuries :

(bb) Mandays lost due to
injuries :

PART - B

(Under the Payment of Wages Act, 1936)

31. (i) Number of Mandays worked (i. e. aggregate number of
attendance) during the year for persons earning less than Rs.
1600/- per month (see Explanatory note 'C')

(a) Adult :

(b) Young person :

Total :

(ii) Average number of workers employed daily (i. e. mandays
worked divided by number of days worked) for persons
earning less than Rs. 1600/- per month (See Explanatory note 'D')

(a) Adult :

(b) Young person :

Total :

32. 'Total wages paid' including 'Deductions' under section 7 (2) of
the Payment of Wages Act, 1936 for persons getting less than
Rs. 1600/- per month on the following accounts.

(a) Basic wages only Rs.

(b) Dearness allowances Rs.

(c) Composite wage (i. e. if
combined basic wage and
dearness allowance paid) Rs.

(d) Overtime wages Rs.

(e) Non-profit sharing bonus Rs.

(f) Any other bonus (other
than profit sharing bonus
and non-profit sharing
bonus) forming part of
wages as defined under
the Act Rs.

- (g) Any other amount paid in cash which may form part of wages as defined under the Act (please specify) Rs.
- (h) Arrears of pay in respect of previous year paid during the year Rs.
- (i) Total wages paid (total) of (a+b) or (c+d+e+f+g+h) Rs.
33. 'Gross amount paid' as remuneration to persons getting less than Rs. 1600/- per month including 'deductions' under section 7(2) of the Act on the following accounts:
- (a) 'Total wages paid' (item 32) Rs. during the year.
- (b) 'Bonus paid' during the year (include arrears also, if paid during the year. This is statutory bonus as well as Profit Sharing Bonus) Rs.
- (c) 'Amount of Money Value of Concession' [see Explanatory note (2)] given during the year Rs.

PART - C

(Under the Minimum Wages Act, 1948)

34. (i) Number of mandays worked (i. e. aggregate number of attendance during the year by the persons covered under the Minimum Wages Act, 1948 (see Explanatory note 'C'))
- (a) Adult :
- (b) Young persons :
- Total :
- (ii) Average number of persons employed under the Minimum Wages Act, 1948) daily (i. e. mandays worked divided by number of days worked) during the year (See Explanatory note 'D').
- (a) Adult :
- (b) Young persons :
- Total :

35. 'Total wages paid' to workers covered under the Minimum Wages Act, 1948.

- (i) Wages paid in cash
- (a) Basic wage : Rs.
- (b) Dearness Allowance : Rs.
- (c) Composite wage if paid : Rs.
- (ii) Cash value of wages paid in kind (See Explanatory note 'R') : Rs.
- (iii) Overtime wage : Rs.
- (iv) Any other amount paid in cash (please specify) : Rs.
- Total ... : Rs.

PART - D

(Under the Maternity Benefit Act, 1961 the ESIC Act, 1948)

36. Aggregate number of women permanently or temporarily employed during the year (a particular worker is to be counted once only) :
37. Number of women who claimed maternity benefit during the year :
38. Number of maternity benefit claims accepted and paid either fully or partially :
- (a) Total :
- (b) From current year's claim :
39. (a) Number of maternity benefit cases in which medical bonus was paid :
- (b) Amount of medical bonus paid :
40. Amount of maternity benefit paid including medical bonus :
41. Number of cases in which women enjoyed full maternity leave prior to confinement. :

(Under the Workmen's Compensation Act, 1923/ESIC Act, 1948)

42. Average number of workers (covered under the Act) employed daily i. e. mandays worked divided by number of days worked (see Explanatory notes 'S' and 'D')
- (i) Adults :
- (ii) Young persons :
- Total :

[illegible][illegible]

PART - F

(Under the Industrial Employment (Standing Orders) Act, 1946)

45. Is the establishment covered under the Industrial Employment (Standing Orders) Act, 1946 (See Explanatory note 'Y') :
46. If yes, whether the establishment has the 'Certified Standing Orders' for all or a group of employees? :
- (a) (i) If for all, the number of workmen (see explanatory note 'Z') covered by the Certified Standing Orders' :
- (ii) Date of certification :
- (b) (i) If for a group of employees, the number of only such workmen covered by the 'Certified Standing Orders' :
- (ii) Date of certification :

Certified that the information furnished above is, to the best of my knowledge and belief, correct.

Date: Signature of the manager
Name (in block letters)
Address & telephone No.

EXPLANATORY NOTES

A. "Establishment" in "Public Sector" means an establishment owned, controlled or managed by (i) The Government or the Department of the Government, or (ii) a Government Company as defined in Section 617 of the Companies Act, 1956, or (iii) a Corporation established or under Central Provincial or State Act, which is owned, controlled or managed by the Government or (iv) a Local Authority.

"Establishment" in "Joint Sector" means an establishment managed jointly by the Government and Private Entrepreneur.

"Establishment" in "Cooperative Sector" means an establishment managed by cooperative Society registered under the Cooperative Societies Act, 1960.

"Establishment" in "Private Sector" means an establishment which is not an establishment in Public Sector or Joint Sector or Cooperative Sector.

AA. "Major Accident Hazard Factory" is one having an industrial activity using, producing or storing hazardous substances in such a quantity that possess the potential to cause substantial damage and to kill or injure a person within or outside the factory boundary.

B. (1) "Working day" should be taken to be a day on which the establishment actually worked and manufacturing process was carried on including the day on which although no manufacturing process was carried on but more than 50% of the workers (preceding the date under consideration) were deployed on maintenance and repair work, etc. on closed days. Days on which the factory was closed for whatever cause and days on which no manufacturing process was carried on should not be treated as working days.

(2) For seasonal factories* information about working season and off-season should be given separately.

BB. "Major Accident Hazard Substance" means a substance presenting major accident hazard and included in the list already notified and which have been classified into five grounds.

*Section 2(12) of E.S.I. Act, 1948 defines "Seasonal Factory" as follows:-

"Seasonal Factory," means a factory which is exclusively engaged in one or more of the following manufacturing processes, namely cotton ginning, jute or cotton pressing, decortication of groundnuts, the manufacture of coffee, indigo, lac, rubber, sugar (including gur) or tea or any manufacturing process which is incidental to or connected with any of the aforesaid processes and includes a factory which is engaged for a period not exceeding seven months in a year—

(a) in any process of blending, packing or repacking of repacking of tea or coffee; or

(b) in such other manufacturing process as the Central Government may, by notification in the Official Gazette, specify.

The expression "manufacturing process" and "power" shall have the meanings respectively assigned to them in the Factories Act, 1948 (Central Act, 63 of 1948).

C. Mandays working should be the aggregate number of attendance of all the workers, covered under the Act, in all the working days. In reckoning attendance, attendance by the temporary as well as permanent employees should be counted, and all employees should be counted, and all employees should be included, whether they are employed directly or under contractors (Apprentices, who are not covered under Apprentices Act, 1961, are also to be included). Attendance on separate shifts (e.g. night attendance and day shifts) should be counted separately. *Partial attendance for less than half a shift on a working day should be ignored while attendance for half a shift or more on such day should be treated as full attendance.*

D. The average number of workers employed daily should be calculated by dividing the figures of "mandays worked" by number of days worked in the year. For seasonal factories*,

the Average number of Workers Employed Daily during the working season and off-season should be given separately (*Refer note B.2)

- E. The "Total number of Manhours worked" should be the TOTAL ACTUAL HOURS WORKED BY ALL the workers during the year excluding Rest Intervals but including overtime worked. The term "Young person" shall include "Adolescents" also who have not been certified to work as adults.
- F. The "Average Number of Hours worked per week" should be calculated by dividing the "Total number of Manhours worked" by the product of "Average number of workers employed daily" in the factory during the year (item 10) and 52 (i.e. number of weeks during the year). In other words, item 11.....(items 10×52) = item 12. In case the factory has not worked for the whole year, the number of weeks during which the factory worked should be used in the place of figure 52. For seasonal factories, the "Average Number of Hours Worked per week" during the working season and off-season should be given separately.
- G. All such "Dangerous Processes or Operations" as specified and declared in the Rules framed under section 87 of the Factories Act, 1948 should be checked. If the factory or even a part of the factory submitting returns falls under this section, the fact should be mentioned against this item and requisite information furnished accordingly.
- H. All such 'Hazardous Processes' in relation to the industries specified in the First Schedule to the Factories Act and defined under section 2 (cb) of the Act should be checked. If a factory or even a part of the factory submitting returns, fails under this section, the fact should be mentioned against this item and requisite information furnished accordingly.
- I. There may be number of 'hazardous processes' being carried on in any one industry specified in the First Schedule to the Act. All such processes should be given individually in this table.
- J. All persons, who have been on roll even for a single day during the year should be taken into account. Care should be taken that a particular worker is counted once only.
- K. A particular worker is to be counted once only even if the same worker has been granted leave more than once during the year.
- L. In every factory, wherein 100 or more workers are ordinarily employed and the factory has been notified under section 40-B (1) (i), or wherein the factory is carrying on any hazardous process defined in section 2(cb) or dangerous operations as defined in section 87 and the factory has been notified under section 40 - B (1) (ii), the occupier shall employ the required number of Safety Officers with prescribed qualifications. *The term 'Ordinarily Employed' would mean the total number of workers working in all the shifts and the employment should be for over 50% of the working days of the establishment in the year.*
- M. The occupier of every factory where a 'hazardous process' takes place or where hazardous substances are used or handled

shall, with the approval of Chief Inspector of Factories, draw-up an on-site emergency plan for this factory and make known to the workers employed therein the safety measures required to be taken in the event of an accident taking place. The occupier shall prepare off-site emergency plan based on events which could affect people and the environment outside the work premises. The District/local authority shall prepare disaster plan for area based on off-site plans of individual units.

- N. All persons who are required to supervise the handling of 'hazardous substances' shall possess:-

- (a) Degree in Chemistry or Diploma in Chemical Engineering or Technology with five years experience; or
- (b) Master's Degree in Chemistry or a Degree in Chemical Engineering or Technology with 2 years experience.

NOTE:- The experience stipulated above shall be in process operation and maintenance in Chemical Industry.

- O. The occupier shall appoint Industrial Hygienist possessing —

- (a) M. Sc. Degree in Chemistry with 2 years analytical experience in a chemical laboratory of repute; or
- (b) M. Sc. Degree in chemistry with 2 years experience in conducting survey in industrial hygiene.

- P. (1) Dangerous Occurrence — The following classes of occurrences are dangerous occurrences —

- (1) Bursting of a plant used for containing or supplying steam under pressure greater than atmospheric pressure.
- (2) Collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane.
- (3) Explosion, fire bursting out, leakage or escape of any molten metal, or hot liquor or gas causing bodily injury to any person or damage to any room or place in which persons are employed, or fire in rooms of cotton pressing factories when a cotton opener is in use.
- (4) Explosion of a receiver or container used for the storage at a pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.
- (5) Collapse or subsidence of any floor, gallery, roof, bridge, tunnel, chimney, wall, building, or any other structure.
- (2) Only such injuries which prevented workers from working of 48 hours or more immediately following the accident should be reported as non-fatal injuries.
- (3) A major accident is a sudden, unexpected, unplanned event, resulting from uncontrolled developments during an industrial activity, which causes, or has the potential to cause, serious adverse effects immediate or delayed

(death, injuries, poisoning or hospitalisation) to a number of people inside the installation and / or to persons outside the establishment.

- Q. The 'money value of concession' is the cost of value of the next cost of the concession, as the case may be, in respect of all supplies made and all services rendered individually, free of cost. In case of concessional sale of essential commodities to the employees, the difference between the purchase price paid by the employer and the actual price paid by the employees is to be taken as the basis for computing the 'Money Value of Concession'.
- R. 'Cash Value of Wages paid in kind' and of 'Concession' in respect of essential commodities at concessional rates authorised under sub-sections (2) and (3) of section 11 of the Minimum Wages Act, 1948, shall be estimated in the manner prescribed by the Appropriate Government. In so far as the Central Government is concerned as laid down under Rule 20 of the Minimum Wages (Central) Rules, 1950, the retail prices at the nearest market shall be taken into account in computing the Cash Value of Wages paid in kind. This computation shall be made in accordance with directions as may be issued by the Central Government from time to time. The cash value of the concession should be obtained by taking the difference between the cost price paid for supplies of essential commodities given at the concessional rates.
- S. Include all employees (covered under the Workmen's Compensation Act, 1923) whether permanent or temporary, who would, in the case of accidents, be eligible for compensation under the Act and for whom a return is required to be furnished. Number employed should be shown even if there are no payments of compensation to report.
- T. Include for each occupation only those cases in which the final payment of compensation was made during the year. A deposit with the commissioner shall be treated as a payment by the employer.
- U. (1) Include all compensation paid in respect of the cases mentioned in Explanatory note 'T', whether such compensation was paid during the year or previous to its commencement. Exclude all payments in cases in which the final payment had not been made by the end of the year to which the return relates.
- (2) Where the benefit actually showed (e. g. hospital leave on full day) is in excess of the compensation admissible under the Workmen's Compensation Act, 1923, only the amount of the compensation so admissible should be entered in the return.
- V. Only such disablements as last for more than three days should be shown (section 4 (1) of the Workmen's Compensation Act, 1923).
- W. Check up with the 'List of Occupational Diseases' as laid down in Schedule III appended to the Workmen's Compensation Act, 1923. In case of those 'Occupational Diseases' only which resulted in cases in respect of which compensation was paid, the information is to be furnished.
- X. Enter for, each occupation separately each of the 'Diseases' referred to in Explanatory note 'W', which resulted in case in respect of which compensation was paid.

- Y. As laid down under section 1 (3) of the Industrial Employment (Standing Orders) Act, 1964, the Act applies to every industrial establishment wherein one hundred or more workmen are employed or were employed on any day of the preceding twelve months provided that the 'Appropriate Government' may, after giving not less than two months notice of its intention so to do, notification in the Official Gazette, apply the provisions of that Act to any industrial establishment employing such number of persons less than one hundred as may be specified in the notification. The 'industrial establishment' means the establishment as defined under section 2(c) of the Act, 1964.
- Z. Only such 'Workmen' as defined under section 2 (j) of the Industrial Employment (Standing Orders) Act, 1946, are to be taken into account.

FORM No. 35

[See rule 136 (b)]

HALF YEARLY RETURNS

For the half year ending June, 19....

(This return should be sent to the prescribed authority latest by 15th July of current year)

Registration No.....

Licence No.....

NIC Code No.....
(as given in the licence)

1. Name of factory :
2. Name of occupier :
3. Name of manager :
4. District :
5. Full postal address of the factory (including PIN CODE) :
6. Industry :
 - (a) Nature of industry :
(See Explanatory note-1) :
 - (b) Section of the Act under which the factory is covered (please tick (✓) the appropriate box) :

2m (i)	<input type="checkbox"/>
2m (ii)	<input type="checkbox"/>
Section 85	<input type="checkbox"/>
 - (c) Sector of industry :

<input type="checkbox"/> Public sector
<input type="checkbox"/> Cooperative sector
<input type="checkbox"/> Joint sector
<input type="checkbox"/> Private sector

7. Number of days factory worked during the half year ending 30th June, 19... (See explanatory note 3)
8. Number of mandays worked (i.e. aggregate attendance) during the half year ending 30th June, 19.... (See Explanatory note 4)
 - (a) Adults
 - (i) Male
 - (ii) Female
 - (b) Adolescents
 - (i) Male
 - (ii) Female
 - (c) Children
 - (i) Male
 - (ii) Female
 - Total
9. Average number of workers: employed (daily) i. e. item 8 divided by item 7 (see Explanatory note 5)
10. (a) Adults
 - (i) Male
 - (ii) Female
- (b) Adolescents
 - (i) Male
 - (ii) Female
- (c) Children
 - (i) Male
 - (ii) Female
 - Total
10. Medical Information—
 - (a) Total number of workers employed in hazardous processes
 - (b) Name of the hazardous agents
 - (c) Number of Medical Officers employed
 - (i) Full-time
 - (ii) Part-time
 - (d) Number of workers: examined by factory Medical Officer
 - (i) Worker working in hazardous process
 - (ii) Others

Signature of Manager
Name (in block letters)

Date:-

Explanatory Notes:—

1. Mention what is actually manufactured, including repairs of all types, following the NIC Code at the four digit level.
2. "Establishment" in 'Public Sector' means an establishment owned, controlled or managed by (i) the Government or the Department of the Government or (ii) a Government company as

defined in section 617 of the Companies Act, 1956, or (iii) a corporation established by or under Central, Provincial or State Act, which is owned, controlled or managed by the Government or (iv) a Local Authority.

"Establishment" in 'Joint Sector' means an establishment managed by the Government and Private Entrepreneur.

'Establishment' in 'Cooperative Sector' means an establishment managed by Cooperative Society registered under the Cooperative Societies Act, 1960.

'Establishment' in 'Private Sector' means an establishment which is not an establishment in Public Sector or Joint Sector or Cooperative Sector.

3. (i) 'Working day' should be taken to be a day on which the establishment actually worked and manufacturing process was carried on including the day on which although no manufacturing process was carried on but more than 50% of the workers (preceding the date under consideration) were deployed on maintenance and repair work, etc. on closed days. Days on which the factory was closed for whatever cause and days on which no manufacturing process was carried on should not be treated as working days.
 - (ii) For seasonal factories* information about working season and off-season should be given separately.
4. Mandays worked should be the *aggregate number of attendance* of all the workers, covered under the Act, in all *shifts on all the working days*. In reckoning attendance, attendance by the temporary as well as permanent employed should be counted and all employees should be included, whether they are employed directly or under contractors (Apprentices, who are not covered under the Apprentices Act, 1961, are also to be included). Attendance in separate shifts (e.g. night and day shifts) should be counted separately. *Partial attendance for less than half a shift on a working day should be ignored while attendance for half a shift or more on such days should be treated as full attendance.*
5. The average daily number should be calculated by dividing the aggregate number of attendance (mandays worked) on working days by the number of working days during the half year.

* Section 2(12) of E.S.I. Act, 1948 defines 'Seasonal Factory' as follows:-

'Seasonal Factory' means a factory which is exclusively engaged in one or more of the following manufacturing processes, namely cotton ginning, cotton or jute pressing, decortication of ground-nuts, the manufacture of coffee, indigo, lac, rubber, sugar (including gur) or tea or any manufacturing process which is incidental to or connected with any of the aforesaid processes and includes a factory which is engaged for a period of not exceeding seven months in a year:—

- (a) in any process of blending, packing or prepacking of tea or coffee; or
- (b) in such other manufacturing process as the Central Government may, by notification in the Official Gazette, specify;

The expression 'manufacturing process' and 'power' shall have the meanings respectively assigned to them in the Factories Act, 1948 (63 of 1948).

FORM No. 36

(See rule 140)

MUSTER ROLL

[illegible]

Period of work	Daily attendance for the month of	Total number of mandays worked	Mandays lost due to				
			Strikes	Lay off	Lock out	Leave with pay	Leave without pay
(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)

Any other reason	Total of col. (15) to col. (20)	Number of festival and national holidays	Number of weekly holidays (off) paid for	Total mandays paid for*	Remarks
(20)	(21)	(22)	(23)	(24)	(25)

* Sum of col. (14) + col. (18) + col. (22) + col. (23) + col. (15) to (17), if paid for.

FORM No. 37

[See rule 136 (d) and 141]

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

	Serial number	
(1)	(2)	
(3)	Name and serial number of the person involved in the register of adult/child register	
(4)	ESIC insurance number	
(5)	Date	
(6)	Time	
(7)	Place	
(8)	Cause of accident/major accident/dangerous occurrences	
(9)	Nature of injury/dangerous occurrences	
(10)	What exactly was the injured person, if any, doing at that time?	
(11)	Name of the person giving the notice	
(12)	Name, address and occupation of two witnesses	
(13)	Date of return of injured person to work	
(14)	Number of days the injured person was absent from the work including holidays and off-days	
(15)	Signature and designation of the person who makes the entry with date	

FORM No. 38

(See rule 142)

INSPECTION BOOK

Page	...	Heading
Covering page	...	Inspection book for Inspectors of Factories and Certifying Surgeon only
Back of the covering page	...	Manager's remarks regarding action taken, if any.
Every numbered page	...	Inspector's or Certifying Surgeon's remarks
Back of every numbered page	...	Manager's remarks regarding action taken, if any.